WHEN MEN ARE FREE

The Citizenship Education Project

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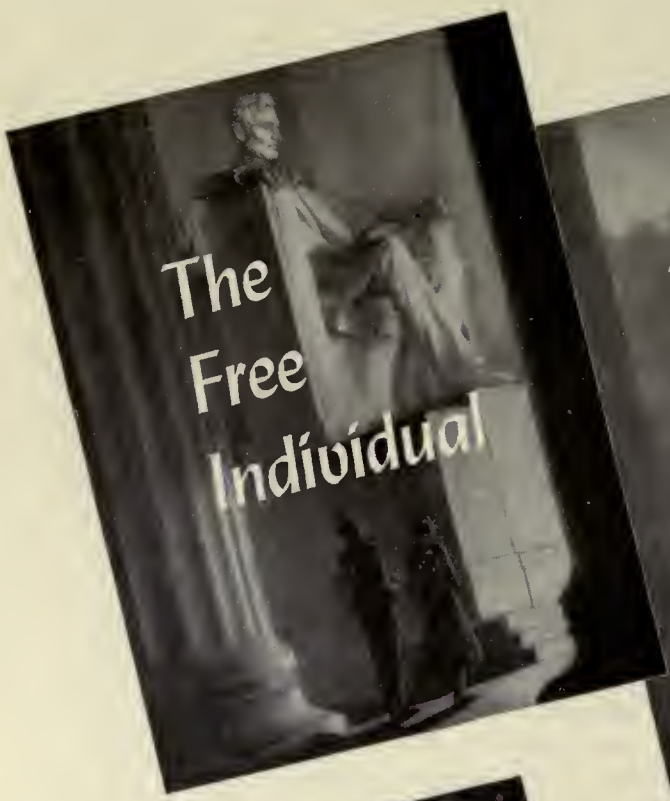
William S. Vincent, Executive Officer
Citizenship Education Project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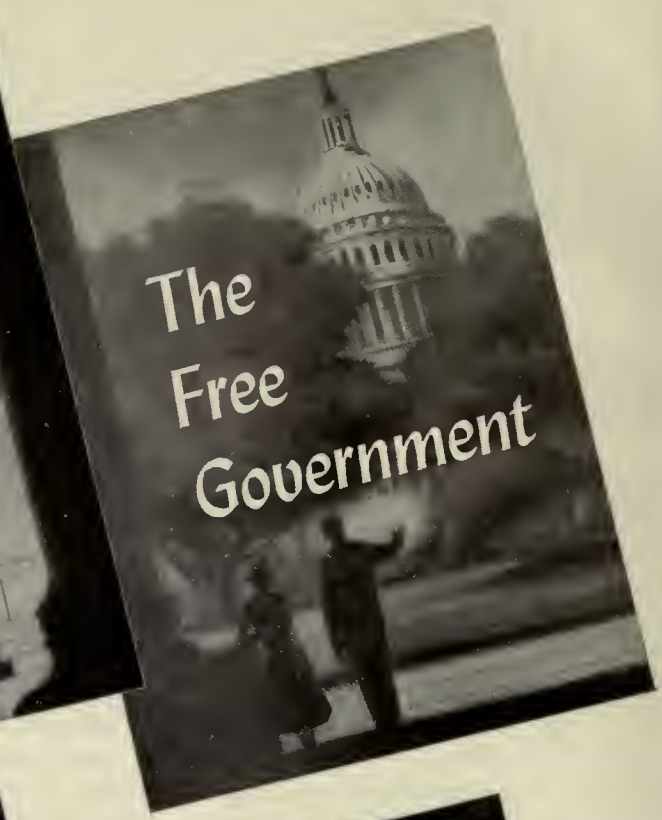
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WHEN MEN ARE FREE

Premises of American Liberty

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By The Citizenship Education Project

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What This Book Is About

Being a good citizen of a country requires living according to the principles for which that country stands. **When Men Are Free**, for junior and senior high school students, is about the principles our country stands for — here called *Premises*. They are called Premises because they are assumptions, or are based on assumptions, which the Founding Fathers made when they wrote the Constitution. They can't be proved as if they were scientific principles, and we don't have to prove them. We just say, "We hold these truths to be self-evident," and govern our lives accordingly.

The Premises discussed here are those which serve as framework and guide for the program of the Citizenship Education Project. (See Table of Contents, pages 7–11, for complete list.) The Project calls the list — derived from the Declaration of Independence, the Constitution, the Bill of Rights, decisions of the Supreme Court, and basic legislation — PREMISES OF AMERICAN LIBERTY. It assumes that a good American citizen should understand and appreciate the meanings of these great documents that have guided the development of American life for more than 175 years.

Dealing with beliefs and laws concerning the free individual, his government, his economic system, and his nation's relations with the rest of the world, the book in its entirety should help young people understand what freedom in America really means.

Because of its organization, and its brief explanations of the many freedoms and responsibilities that make up the context of freedom under which Americans live, **When Men Are Free** can quickly give insights into fundamentals that the reader would have to search for in a number of history, civics, or other textbooks on American citizenship. The volume may be read from beginning to end, its contents discussed section by section, or Premise by Premise. It may be used as a reference book for information about a particular Premise or group of Premises. The treatment is intentionally brief, designed to challenge discussion, research and reading, and intelligent, patriotic action.

At the end of each of the book's seventeen sections are suggestions for discussion and things to do. Carrying out these suggestions should help young people understand how the Premises operate in our everyday lives. The LABORATORY PRACTICES CARD FILE, prepared by the Citizenship Education Project, may also prove helpful. The file contains several hundred suggestions of activities for groups interested in learning citizenship skills.

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The Free Individual

Freedom in the American sense starts with the Free Individual, a person who might be described as having the right to "live," and the obligation to "let live" and "help live."

Thirty-three Premises—all concerned with the individual and groups of individuals—will be discussed in the following sections.

Seven of the Premises are beliefs, some of which go back thousands of years, some of which have developed in more modern times.

Twenty Premises are guarantees or special rights written into law to put beliefs into practice. Most of these guarantees are in the Constitution or the Bill of Rights.

Six Premises are responsibilities, the things every individual should do to help maintain his freedom and keep it growing and thriving. If most citizens do not live up to these responsibilities, the freedoms of all may suffer.

Each of the thirty-three Premises helps explain what is meant by the expression, "America stands for freedom for the individual."

Basic Social Beliefs

BEFORE STARTING OUT to play a game a player needs to know something about that game. He needs to know, for example, the goal he is playing for, the rules, and the reasons back of the rules. He will probably come to know the fine points of the game better the longer he plays. In fact, he may come to observe the rules and play the game almost automatically.

In a sense, learning to be a good citizen is something like learning to play a game well. A good citizen needs to understand the meaning of freedom in the American sense — the beliefs and ideals on which it is based, the laws that guarantee American citizens their freedoms. These beliefs, ideals, and laws tell the citizen what the goals are and, at the same time, give him the "rules" he should observe as he plays his role as citizen.

In this book, written to acquaint readers with the nature of freedom in America, all the beliefs, ideals, and laws are called *Premises*. A premise is something that is assumed or taken for granted. Much of our freedom is due to ideas that were assumptions in the first place, and the rest we owe to laws based on these original assumptions.

Most fundamental of all our Premises are beliefs about people — ideas that can't quite ever be proved scientifically, but neither can they be disproved. We just accept them as facts.

Our most fundamental belief about people is expressed in the Premise, **"Every person is of importance as an individual; his well-being is vital in itself."** The impulse we feel to help the person in danger — to rescue him from drowning, a burning building, or an onrushing train — is an expression of this belief. We feel this impulse without stopping to question what kind of person he or she may be. We must save a life if possible.

Human life — any human being — is precious, says the American ideal, so precious that other values such as money, power, and convenience cannot even be compared to it. And it makes no difference whether the human being is whole or crippled, rich or poor, educated or ignorant, young or old, light or dark.

An artist's portrayal of Moses. His laws and the teaching of Christ provide the basis for many of our beliefs about the worth of every individual.

The Premise that every human being counts is much older than the American nation. One of the laws given by Moses to the Hebrews about 1200 B.C. emphasized the preciousness of human life in the words "Thou shalt not kill," which followers of the Jewish and Christian

People often risk their own lives to save others. The two miners with blankets are among nineteen men saved from death in a burning mine by the skill and courage of the men who went in to get them out.

Which picture — the one above taken many years ago, or the more recent photograph below — best illustrates "maximum freedom" to develop? We now have laws that prohibit children from working in factories, laws that make school attendance compulsory, and schools where an effort is made to give each child a chance to develop his talents and skills.

religious faiths know as one of the Ten Commandments.

Later, the teachings of Jesus Christ likewise proclaimed the importance of all men. "Blessed are the poor in spirit," begins the Sermon on the Mount, and goes on to state the rules by which all men "shall be called great in the kingdom of heaven." The Parable of the Good Shepherd is another example of Christ's teachings that stresses the importance of the individual — the importance of finding the one lost sheep out of the hundred, though the other ninety-nine are safe.

•

All the Premises in the tradition of American liberty are very closely tied to the basic belief that every person counts. For example, if every human being is important, as people in a free country must believe, then **"All persons should have maximum freedom, consistent with the general welfare, to develop as they desire."**

This second Premise is back of the idea Americans express so often when they shout, "Nobody can tell me what to do; I'm my own boss." Of course, this means "doing" what one chooses up to the point of being "consistent with the general welfare." It doesn't mean, for example, that somebody who has smallpox should be free to go to the movies if he feels like it, or that the flying enthusiast should be free to endanger the

lives and property of others to satisfy his desire for stunting. To take a different example, it does mean, as stated in the Thirteenth Amendment to our Constitution, freedom from being anybody's slave. It means freedom to move from one place to another and to live wherever one chooses.

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If every human being is important, as people in a free country must believe, it follows that **"All persons should be considered as individuals and judged on their merit; their differences should be respected, their rights safeguarded."** In an indirect way this Premise says that even though all people are alike in being human beings, no two people are really alike. Each, therefore, has to be judged on the basis of what kind of person he is — his merit — not by such things as the color of his skin, his ancestry, or what he likes for breakfast.

People's likenesses may put them into certain groups, but members of the same group remain different as individuals. Sometimes people either don't know or refuse to recognize this fact. They go about referring to a whole nationality, race, or other group as "penny pinchers," "lazy," "money grabbers," or "dirty." Such name calling, of course, is silly, as absurd as Adolph Hitler's claim that all "pure" Germans were supermen.

Being different is not in itself either good or bad. It's just a fact. Of course,

This picture of Willie Mays emphasizes the point that ball games are won by skill, not by players' ancestry or color. It is ability that counts.

the "difference" meant is not the kind that some persons pretend when they behave in a way that says, "I'm different because I'm *better*. The rules don't apply to me."

•

Our Declaration of Independence was written over 175 years ago to state the reasons why the English King no longer had the right to rule the American Colonies, and to declare the Colonies independent of British rule. The second paragraph of this famous document begins with these words:

> *We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights . . .*

This portion of the Declaration is the basis for an American Premise that says, **"All persons should possess equal rights and liberties."** It is *equality in rights and liberties* that is meant in the

statement, "all men are created equal." Human beings are certainly not born equal in any other way. On the contrary, as anyone may observe, they are born very unequal in such things as size, health, and ability to learn and develop different skills. Americans may accept such inequalities as these as a matter of course — as individual differences. But inequalities in rights and liberties are a very different matter.

Until Jackie Robinson began to play for the Brooklyn Dodgers, Negroes had never played on big league baseball teams — and not because they had less ability than white players. They were denied their right even to test their talents along with others, simply because of their color. So when Robinson was given his chance in 1947, Americans could be glad for more than just another good second baseman to watch. They could point to the move as a step forward in living up to one of the basic Premises America stands for.

Like living up to any ideal, employing the first Negro baseball player took courage. Soon after Robinson was taken by the Dodgers, a few white players in the National League threatened rebellion. The President of the League is reported to have said, "I do not care if half the League strikes. All will be suspended and I don't care if it wrecks the National League for five years. This is the United States of America and one citizen has as much right to play as another."

The players didn't strike, the League wasn't wrecked, and other Negro players have since been given a place on big league teams. Most important of all, America has put into practice, on another front, her cherished ideal of equal rights and liberties for all persons.

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In a country that tries to live by the principle of equal rights for all individuals, the rights of one person sometimes collide or get in the way of the rights of a second. A good example of this is the student who, in exercising his right to express his opinion, monopolizes all the class time and denies other class members their right to a word now and then. There is, however, another American Premise which says that **"The rights of any person should not be exercised so as to interfere with the rights of others."** This Premise is summarized in the statement, "Your right to swing your arms in a crowded room ends where the other fellow's nose begins."

It's a free country, and a party's a party — but what about people next door, trying to sleep?

This might be a good rule for people to follow in deciding how far to go in demanding their rights.

We have laws specifically to make it possible for individuals to exercise their rights in such a way as not to interfere with somebody else's. The Declaration of Independence says, after listing some of the rights men have, "That to secure these rights Governments are instituted among Men."

In other words, the reason we have democratic governments is to protect people's rights. For example, state and local governments set up traffic regulations to keep those drivers who are concerned exclusively with their own rights from forcing other drivers off the road. These governments prohibit swimming in a lake or reservoir from which a water supply comes because every person has a right to pure water.

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Strange as it may sound at first, being a free individual in a free country often requires giving up some freedom. Sometimes an individual's behavior has to be regulated to protect the safety of whole groups of people, or even the whole nation. **"The action of any individual or group must not endanger the welfare of the people or threaten the security of the nation."**

Americans frequently violate this Premise in spite of their firm belief in it. All the people suffer indirectly because of the loss of millions of acres of timber every year — much of it because some person tosses lighted cigarettes about carelessly or fails to put out camp fires. Sometimes all students have to give up the privilege of playing in the gym when a teacher can't supervise, just because two or three abuse the equipment or floor.

This Smokey poster speaks for itself, but which of the Premises of Liberty does it illustrate?

Protecting the welfare of the people is the reason for most of the many signs one sees in public places — "Occupancy by More Than 447 Persons Unlawful" and "Spitting on Floors Prohibited," for example. During World War II posters were displayed reminding people that some of their acts, though unintentional,

might harm the security of the nation. "Loose Talk Costs Lives" warned those who might know about a shipment of war goods to the front, or the movements of troops, to be careful about where they repeated such information.

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No one can be a free individual unless he has opportunities, along with others like himself, to do what he wants to do, try what he wants to try, and benefit personally when he is successful. No one can hope to keep his freedom if he insists on having everything for himself regardless of what happens to others who want the same things he wants. Stated another way, **"Both competition and cooperation among individuals and groups are indispensable to the process of democracy."** This belief is fundamental and is put into practice in every phase of life in a democracy.

Need for competition and cooperation is a natural outcome of our belief in equal rights and liberties for all persons. For example, all the girls in the junior class have a right to play the lead in the class play. When two or three or a half dozen of them decide to try out for the part, they automatically become com-

Cooperation following competition! Senator Taft, who lost the Republican nomination in 1952 to Mr. Eisenhower, congratulates his successful rival a few minutes after Eisenhower was nominated.

petitors. If, after tryout, the best possible person is chosen for the part, the success of the play still depends on how well she works with the rest of the cast, and how well other members of the class who are given other roles or some other job connected with the play work with her.

A similar situation exists in politics. Members of a political party compete to be chosen candidates for office. Later, defeated candidates and victorious candidates work together against opponents in rival parties. After election, officials chosen by rival parties must cooperate in running the government and promoting the welfare of all the people.

Although it is necessary to have both competition and cooperation in a democracy, it isn't easy to have both. In fact, it is often very hard for a person who has developed a strong desire to do his best to win to be equally willing and able to work with others.

To have both competition and cooperation, everyone has to learn to compromise when his desires conflict with another person's; that is, each person *gives up* something of what he wants and each *gets* something. Everyone has to learn to abide by the final regulation or decision even though it means he has to give up wholly in some instances. Everyone has to learn to keep working to get others either to accept his ideas or prove that theirs are better. Doing these things, each of us can *be* as well as *believe in* the Free Individual.

THINGS TO TALK ABOUT, AND DO

1. Suppose you are alone, driving a car down a winding narrow road with abrupt twenty-foot drops on either side, when suddenly a child dashes into the road after her dog. You put on the brakes but they don't hold. Either you must hit the child or go over the side. What do you think you would do? Why? Would you do the same thing if there were three or four people in the car with you? (See the illustration, page 33.)

2. Select a committee to compile evidence showing how the Premise regarding equal rights and liberties is observed in the life of your community. Ask the committee to report to the group.

3. Newspapers frequently carry stories about the efforts of police to prevent persons from committing suicide. What Premise are the police acting upon when they do this?

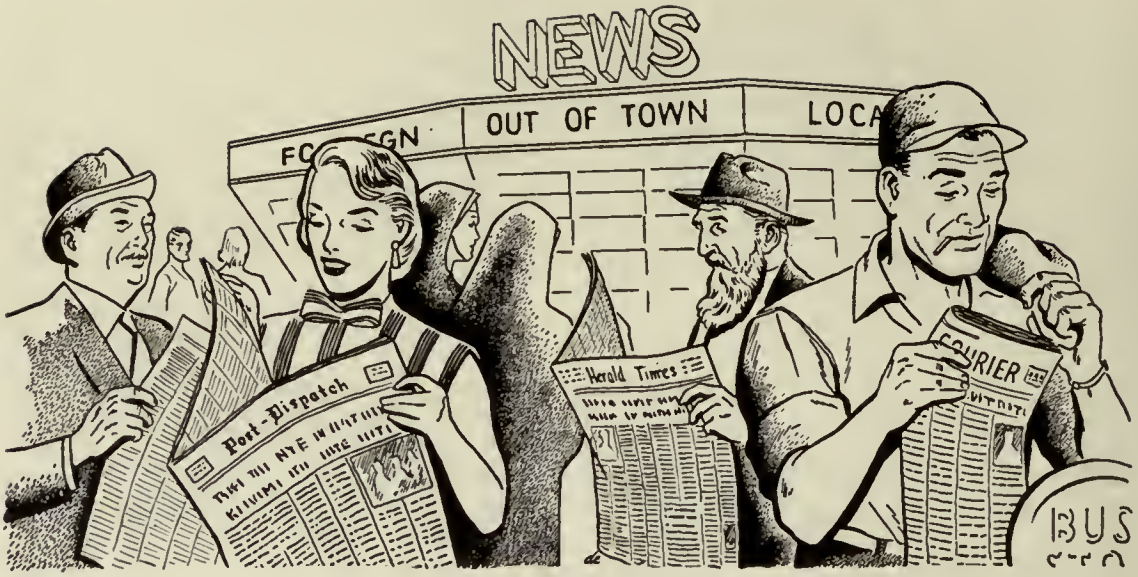
4. How does belief in democracy justify compulsory school attendance and freedom of the individual to develop as he desires, both at the same time?

5. What Premise is involved when the school nurse sends home a student who wants to stay in school even though he has a temperature?

6. Discuss various phases in the development of a basketball or football team that illustrate the need for both competition and cooperation.

7. Appoint a committee to make a study of local ordinances which keep individuals from doing what they want to do, but which were passed to protect the rights of all. List several everyday school regulations that are related to this Premise.

8. Discuss books or stories you have read that illustrate some of our beliefs concerning the free individual. Divide into committees and dramatize episodes in the stories. If some of the committees prefer, they may write their own stories.



Basic Social Guarantees

THE AMERICAN CITIZEN enjoys the protection of five basic social guarantees that assure his freedom to believe and think and act as an individual. Four of these guarantees are included in the Bill of Rights — a part of the Constitution of the United States and the fundamental law of the land. All are in the laws of every state. All are so important to us as individuals that we consider them our "sacred rights." Lawmakers have to be careful not to pass laws that might take these guaranteed rights away from us.

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The American citizen is guaranteed **"Freedom of religion."** From early Colonial days most American settlers felt very strongly that the individual's religion was a personal affair and not a concern of his government. And no wonder. They knew the suffering and bloodshed that people in the Old World had endured when governments attempted to force one religion upon all. Many of the settlers had experienced this suffering.

Some early settlers, the same people who came to the New World in search of religious freedom for themselves, wanted to force their beliefs on everybody, once they were here. But such people as Roger Williams, the Maryland Colonists, and William Penn felt that every person should be free to choose

his own way of worshiping God. So for all these reasons, when we became an independent nation, numbers of people insisted that freedom of religion be guaranteed in our Bill of Rights. Thus it is a fundamental law of the land.

The very first statement in our Bill of Rights, which went into effect in 1791, says that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." This statement is the American citizen's guarantee against having his government make him support or follow a faith he doesn't believe in. At the same time it guarantees him the right to worship in any church of his choice and to promote the teachings of that church, or to follow no religion whatever.

Ours is, therefore, a country with a great variety of religious beliefs and practices. In 1953 there were 250 different religious bodies in the United States. To make for even greater variety there were more than 64 million Americans with still different beliefs who were connected with no church.

Our guarantee of religious freedom in the Bill of Rights, plus a similar guarantee in every constitution of the forty-eight states, has not meant that there are no longer any questions about religious freedom. Incidents frequently occur which raise the question, "Is the guarantee of religious freedom being violated?"

Of course, there is no such thing as unlimited freedom of any kind. Members of a religious group could not

Testimony of religious freedom and interfaith sacrifice in America. A mural in a Philadelphia chapel dedicated to four World War II chaplains who gave their life belts to the crew and went down with the ship.

claim that their freedom was denied if they were not allowed to meet in a building that was unsafe, or during an epidemic when meetings might spread disease.

The "free exercise" of religion permits any believer to try to persuade others to his faith, in meetings, and by distributing literature stating his belief from door to door. It does not permit him to set himself up in business as a practicing doctor and treat people for a fee, even though he may believe in "faith" healing for himself.

Our courts are responsible for making decisions in situations in which freedom of religion is in question. It is the special job of the courts — the judicial branch of local, state, and national governments — to see that laws are just, and that people receive justice according to the law.

The Bill of Rights is the individual's guarantee that the government will not interfere in his religion. Though the person who acts disrespectfully toward another because of his religion is violating the spirit of the Bill of Rights, this person cannot be forced by law to change his behavior. Respect for the individual's right to believe as he chooses is a personal responsibility of all Americans. And every individual who wants this respect should make sure that he does not impose his beliefs on people who have opposing ones.

This chart shows the number of members in the major religious groups in our population, and the number of persons belonging to no church.

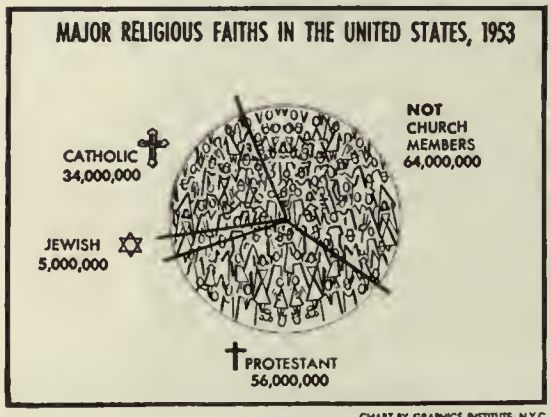

CHART BY GRAPHICS INSTITUTE, N.Y.C.

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Americans are guaranteed **"Freedom of inquiry and criticism."** Neither the Bill of Rights nor other fundamental law says so in just these words. But this guarantee is included in those laws that assure the individual freedom to believe, and to say and write what he thinks.

Why do people no longer believe that the earth is flat, that displeasing the gods causes thunder and lightning, that sickness can be cured by magic? Somebody doubted these ideas.

What makes all progress and improvement possible? Why can people expect to live longer and more comfortably now than their relatives did in 1900? Make just a short list of some of the products of modern scientific discovery — radar, television, "wonder drugs," man-made rain. Maybe in the future a way will be perfected to make great quantities of fresh water from the salty

"*I'll* tell you what you see in that microscope. See it, or else . . . !" Here you have a cartoonist's description of the fate of a scientist in a country where freedom of inquiry is not allowed.

brine of the ocean. Back of every one of these developments is freedom of inquiry and criticism.

The freedom to explore new fields and to experiment hasn't always been so taken for granted as it is in democratic countries today. Countless persons who have asked less "dangerous" questions than "Can man make rain?" haven't been allowed to live long enough to search for answers. Others have spent years in prison for proposing answers that conflicted with the accepted beliefs of "the authorities."

To cite only one example from the past — Galileo was threatened with prison and warned to keep silent when he suggested that the "official" explanations about the nature of the moon and other heavenly bodies were not true. Even today in dictator countries the dictators assume the right to tell scientists

not only what they must experiment on but also what their theories shall be.

In 1948 the Communist party leaders in Soviet Russia decided that the laws of heredity established by the scientist Mendel in the 1860's were old-fashioned and "unscientific." Biology textbooks contain an explanation of these laws and how scientists — Luther Burbank, for example — have used them to produce new kinds of plants and animals. The Soviet Government, however, established as the "official" theory to be followed by *all* Soviet scientists one advocated by Lysenko, a leading communist scientist. This theory fitted best, the Communist leaders felt, the whole communist way of life.

Having made this decision, the Soviet authorities sent out an order that all books that dealt with opposing views on heredity must be withdrawn from use until they were revised. Publishers had to be careful to see that all published material dealing with the subject agreed with the theory advocated by Lysenko. Laboratories that employed scientists with opposing views were closed; the scientists lost their jobs unless they gave up their views.

The point of this story is not to suggest that the theories held by Mendel and his followers should never be questioned. They might even be disproved. That is a matter for scientists to continue to explore. But one doesn't even have to know what the theories are to know that this story illustrates the denial of freedom of inquiry. It is an instance in which government officials say, "This is *the* answer; fall in line or else."

It is a miracle that so many men have continued to wage the fight for freedom to question and criticize. But if the fight had not been waged, our way of life would surely have been very different. Freedom of inquiry is, in a sense, the parent of all our freedoms. The idea of democratic government, for example, could not have developed if someone hadn't questioned the theory that kings were the agents of God and could do no wrong.

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The Bill of Rights guarantees **"Freedom of speech"** and **"Freedom of the press"** in America. "Congress shall make no law . . . abridging [taking away] the freedom of speech or of the press," says the First Amendment. The men who insisted that these words should be part of our fundamental law were wise. They knew that if a government could control what people say and read, it could take away all freedom.

In those days it was common practice for governments to put newspapers out of business for publishing news that was critical or unfavorable to those in power. It is not an uncommon practice even today in countries such as Russia, Spain, and Argentina where the governments are dictatorships. Imagine our government officials in Washington tell-

ing our newspaper editors, our radio and television commentators, and our newsreel reporters what they must say and what they must not!

Freedom of speech and freedom of the press are so closely tied together, *and with* freedom of inquiry and criticism, that the three can scarcely be discussed separately. What would be the value of criticizing the acts of public officials without the freedom to discuss and publish the facts and opinions connected with the criticism? How can people make use of, or even know about, new and possibly better ways of thinking and living if the person with a new idea is afraid to tell or write about it?

Does the freedom of speech or freedom of the press mean that one can say or write anything he may want to at any time? No. No freedom is completely unlimited, and people must be protected against those who misuse freedom of expression. We have laws that make it a crime for one person to utter publicly, or put into print, irresponsible or false statements about another that may ruin his reputation. *Slander* and *libel,* as such statements are called, may cost the person guilty of them a heavy fine.

The freedoms of speech and press do not protect the person who advocates the overthrow of the government by force, or one who urges others to destroy life or property. The individual has to take some responsibility. The guarantee of free speech wouldn't protect

This very irate gentleman is pretty sure the soapbox orator is saying slanderous things about him. If the lawyer agrees, Mr. Orator may have a slander suit on his hands; if the court agrees, he may have a big fine to pay.

This man, even more irate than the one above, thinks the newspaper has libeled him; and he seems to be taking the law into his own hands. The editor is losing here, but if the case goes to court, he can put up a more dignified defense.

someone who cried "Fire!" in a crowded theater just to see what would happen.

Suppose that in wartime a person opposed to war tried to persuade men to desert or evade the draft. Should our guarantee of free speech protect this person? The Supreme Court, which has to decide over and over cases in which violations of free speech and press are claimed, makes a distinction in our guarantee of free speech in time of war and peace. In a famous decision on a case that came up following World War I, the Court said that when what a person says creates a "clear and present danger" to the nation, freedom of speech may be lawfully denied.

Writers and speakers for the press and radio agree that certain kinds of information, such as the movement of

President Roosevelt at a press conference in the 1930's. This kind of give-and-take between public officials and newsmen occurs regularly in the United States. Major officials — national, state, or local — refuse to answer questions about public problems at their peril. A free press demands the right to get and print the news; the people insist on knowing what their officials are doing.

troops, production figures, and the work of special government officials, should be kept secret during war. Most of them impose a kind of censorship upon themselves to protect the national welfare. They also act as "watchdogs," however, and are loud in their criticisms, in time of peace or war, if they suspect that information is being withheld from them, and hence from the public, when withholding isn't necessary.

Reporters and newspaper publishers have a responsibility to be much more than watchdogs to see that the government doesn't hold back information needlessly, or that they don't publish stories that might damage somebody's reputation. It is their job to find out and publish all information that might be in the public interest. They have an obligation to give all the facts obtainable about important happenings and people. They have an obligation to present these facts in a way that gives readers as complete and unprejudiced a story as possible.

Why is the guarantee of free expression — in speech, writing, or pictures — important? It can be argued that much of what is said isn't worth listening to — whether it's over the radio or in the lecture hall. Many people believe that a big proportion of our movies aren't worth the eyesight they cost, and that much of what is written is a waste of ink and paper. Why not allow only those people to talk or write who have something worth while to offer?

This question immediately raises other questions: How is anybody to know whether an idea is worth while until it is expressed? And who is to decide, after the idea is expressed, whether it is worth while or not? Do you know people whose judgment is so good that you would be willing to let them decide what you should see or hear or read? Maybe you can answer *yes*. But would your friends, to say nothing of some 160 million other Americans, agree to have the judges you would pick?

Oliver Wendell Holmes, a Supreme Court justice from 1902 to 1932, once said that the best way to determine what ideas were worth while was to have *all* ideas expressed, thrown onto the market like so many vegetables or pairs of shoes. There each idea would have to compete with dozens of others for saleability. The best ones would be those the people "kept buying," each individual "buyer" acting as his own judge.

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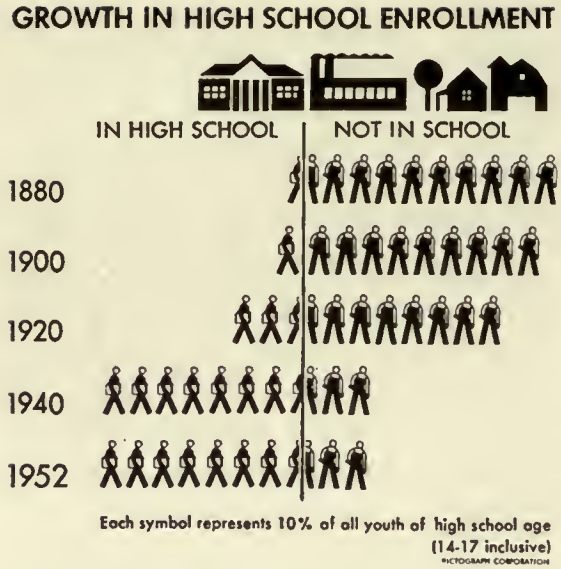
An important social guarantee that Americans enjoy today, education at public expense, was not included when our fundamental laws were written. Most early Americans did not consider formal schooling a basic need of every individual as we do today. **"The privilege of a public education,"** however, has long been an accepted American Premise. Free public education is today



And 1954 enrollment is up and still increasing!

guaranteed by every one of the forty-eight state governments.

Parents and groups in the local communities first took the responsibility for providing public schools in America. Gradually, as the idea of education for all spread, providing public schools became a joint responsibility of the local and state governments. Throughout the 1800's and into the 1900's, one state after another passed laws compelling local communities to provide first, free elementary, then high schools, for every boy and girl who wanted to attend. At the same time, other laws were also making it compulsory for everybody to attend school up to a specified age — in most instances to fourteen or sixteen.

In spite of the fact that our Bill of Rights and the Constitution said nothing about schools, the National Government has promoted public education and provided money for special educational uses. For example, the Land Ordinance of 1785 required that the income from the use or rent or sale of one lot in every township in what was then the western territory of the United States be used to pay for public schools.

In 1862 Congress passed a law called the Morrill Act. Under this law the National Government has given some 13 million acres of land to the states to sell or rent or otherwise use to start colleges for encouraging agricultural and technical education. This gift was the beginning of our state universities, many of which offer college and advanced training in almost every imaginable field. Because these institutions were started at public expense and are now supported by public taxation, the cost of attending one of them is usually less than it is at the private colleges.

In a country that believes "All persons should have maximum freedom to develop as they desire," public education is an essential second only to food and protection against the cold. *Public* education gives the poor as well as the rich a chance to develop their talents. Education for all is essential to democracy itself. Long before there were schools for everybody, James Madison said that "a people who mean to be their own governors must arm themselves with the power which knowledge gives." It was arguments like this that made public schools and school attendance compulsory.

THINGS TO TALK ABOUT, AND DO

1. After reading the two stories below, discuss whether yau approve ar disapprove af the action taken in each, and why. Which of the two stories illustrates the fact that people must respect limits in exercising even guaranteed freedams?

a. Several people in a small town get together and start a new religious sect. They rent o house and begin to hald regular meetings. A number of people who don't approve of this new sect protest to the owner of the hause, a local businessman. They tell him that if he continues to rent his property to the new sect, they and many other people in the town will stop doing business with him. The awner af the house daesn't wont to take a chance on having his business ruined, so he tells the members of the new religious group that he wants the hause for another purpose and that they can no longer rent it.

b. In another small town there is o very bad epidemic. To help bring the epidemic under contral the local health authorities rule that no meetings of any kind shall be held until further notice. One religious sect in the town doesn't believe disease is spread through big meetings, and believes that its services come before other obligations. The members go ahead and hald their regular service. Health officers report this to local government officials, and the group is fined.

2. To add to your understanding of how people have struggled for the right to ask questions and criticize authority, appoint a committee to report to the group an several great men or women af history who, like Galileo, dared ta question what other people af their time accepted as truth. The committee can get help in doing its research from the librarian and a teacher of Eurapean histary.

3. Find out from your local government officials whether your town hos any regulotions regarding the use of streets or parks for making open oir speeches; or moy anyone speak freely onywhere he can gother a crowd around him? Why might such regulations be needed to protect the public welfare?

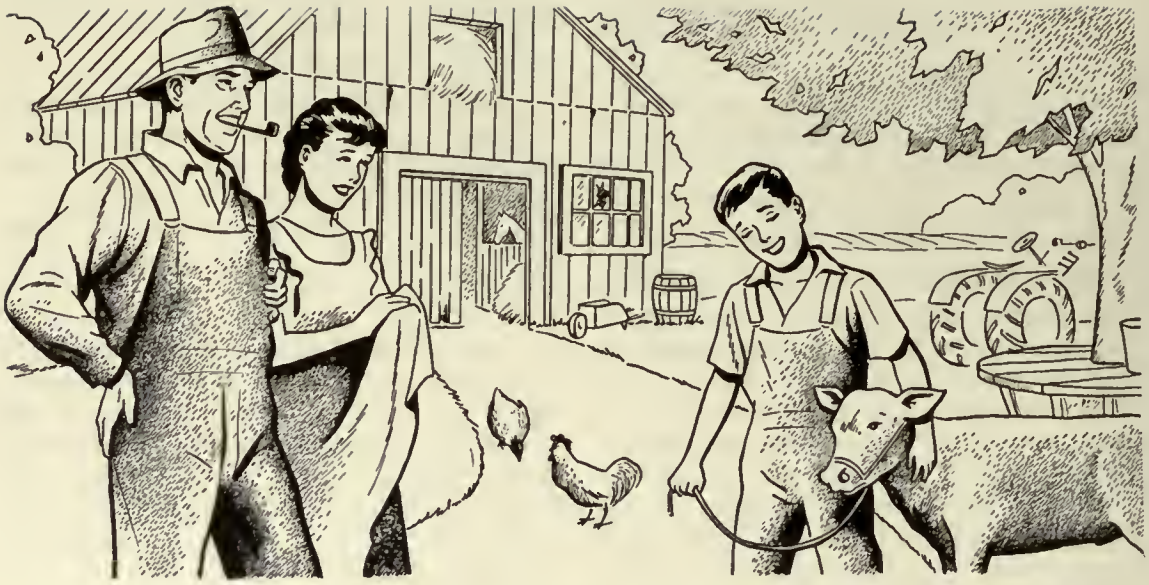
4. In the United States three different newspopers may repart the some piece of news so differently that it seems ta be three different stories. Why would this probably not happen in a country like Russia, Czechaslavakia, or Spain? Why do Americans prefer "our way" even though they may object strongly to the woy one, twa, or even all of the three popers have reported the stary?

5. Invite the publisher of your locol paper to talk to yaur group on freedom of the press and ony experiences he moy have had with people who have abjected to his way of publishing the news.

6. Have one of the group moke a report on the work of the Federal Communications Commission. How does this agency help protect freedom of speech? Preparing this report will take some library work and perhops a talk with the manager of the local radio and television station.

7. Arrange a meeting with the superintendent of schools to find out how much it costs, per pupil, to give the yaung people in your community o high school education (four years). Estimate the proportion af the present student body thot could affard to attend high school if their families had to poy this amount in the form af tuition.

8. Write an essay of two or three hundred words in which yau show why it is important in a democracy ta pravide public education. Give examples ta back up your argument.



Rights to Life and Liberty

THE RIGHTS TO LIFE AND LIBERTY take first place among all rights the individual must have to be free. According to our Declaration of Independence, they are given by the Creator and are "unalienable." The modern version of this word is *inalienable,* and it means "not transferable to another person."

The Declaration expresses belief in the individual's rights to life and liberty. The Fifth Amendment makes the belief part of our fundamental law — "nor shall any person . . . be deprived of life [and] liberty . . . without due process of law." In 1765, before either of these two documents was written, the patriot Patrick Henry made his famous "give me liberty or give me death" statement in a speech objecting to the Stamp Act. Americans have always tended to think of *life* and *liberty* as inseparable.

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It almost seems strange that such a common sense, everyday idea as **"The right to life"** should even need to be specially mentioned as an American Premise. The truth is, however, that in the long course of history the right to life *for everybody* is a comparatively modern idea.

Up until about the time of the settlement of the American Colonies, and in many countries much later, life was cheap the world over. It wasn't uncom-

mon for kings and other powerful men to have people put to death for what today would be considered quite small offenses — stealing a loaf of bread, for example. Particularly was there lack of concern over taking a life if that life belonged to just a common person.

The history of pioneer days in our own country contains many stories of "outlaws" who deprived people of life in order to get what they wanted. We still have such occurrences. Stories of ruthless killings are common news in our daily papers. But to make good our guarantee of the right to life, "officers of the law" now hunt down killers and bring them to trial. This is in accordance with *due process of law,* which requires that action against any person be undertaken in a legal, orderly way without resorting to violence. A person who thinks he has been "wronged" takes his case to court for a fair hearing before an impartial judge or jury.

Due process of law requires officials to "take life" in some instances — as punishment for certain crimes. But the death sentence — capital punishment — is given for few crimes, and in some states, not at all. In some states, belief in the right to life even for the worst criminals has been strong enough to do away with capital punishment.

Due process protects the person who kills in self defense. But the person who claims self defense as his reason for taking a life has to prove it in court.

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To most Americans, just living without liberty of person or hope of it would

This picture shows a situation, not an uncommon one, in which one person's right to life conflicts with that of others. (See Question 1, page 21.) The driver of the truck must decide what to do, and instantly!

seem pretty worthless. It would be existing like the lion in the cage, like the slave in chains. **"The right to liberty of person,"** or at least the hope of liberty, has as important a place in the American tradition as the right to life itself.

Life without liberty could mean having no choice in the place where one lives, the house lived in, or the people who share it. It could mean not being able to go where one wants to go, or when. It might mean, as it has in countries ruled by dictators, living under the constant fear of being watched by secret police. Then those things which we consider personal matters — whom we talk with, the radio programs we listen to, the books we read — could become the business of those in power.

Every so often newspaper stories remind us that the right to liberty of person is not enjoyed one hundred per cent in the United States. For example, a Chinese-American veteran and his Oriental wife are not allowed to buy a house in a California town where they want to live. Tenants in an apartment house in an Illinois community start a riot when a Negro family moves in.

This photograph illustrates a liberty few Americans ever stop to consider until they go abroad — liberty to drive thousands of miles across state boundary lines, unhampered by restrictions.

It is impossible for most of us even to imagine what people who are victims of incidents like these must suffer. We are accustomed to thinking that in America everybody is at liberty to choose the place where he will live, on the basis of what is on the market that he can afford.

Gradually many of the restrictions against certain groups in our country are disappearing. Such peaceful but forceful means as education and the pressures of organizations are convincing more and more citizens that denial of personal liberty to any group of people is a blight on the whole nation.

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Americans enjoy the protection of numerous laws that assure them freedom of many kinds. But all these laws could become almost meaningless were it not for the Premise that guarantees **"Freedom from slavery and involuntary servitude."**

Involuntary servitude is work that a person is compelled to do against his wishes, and usually with little or no pay. People who disagree with the authorities in countries ruled by dictators are frequently subjected to involuntary servitude. They are shipped off to slave labor camps. Dictators find it a good way to get dangerous or disagreeable work done, as well as to punish the "disloyal."

The Thirteenth Amendment makes slavery and involuntary servitude unlawful in America. It states simply that neither of these two conditions shall exist in the United States or in any place that we control, except as punishment for a crime. It became law nearly one hundred years ago. Beginning in the late 1700's, especially in England and the United States, many people worked to do away with slavery because they believed it a violation of human dignity.

Although the Thirteenth Amendment was passed specifically to prevent Negroes from being re-enslaved after the War Between the States, it protects all Americans from slavery and involuntary servitude.

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One of the Premises that protects the individual's rights to life and liberty is the direct result of happenings during the days of the American Revolution. This one we know as **"Freedom from unreasonable search and seizure."**

When Britain was trying to prevent the American Colonies from trading with countries other than herself, British customs officials went into people's houses to search for smuggled goods. Armed with general search warrants called *writs of assistance*, these officials searched any and all houses regardless of whether they had good reason for believing smuggled goods were hidden there.

The Colonists complained loudly that the use of general search warrants was an invasion of their rights. English law had long held that "A man's house is his castle," they said. According to this law a man who wasn't seen committing an offense could be arrested, himself or his house searched, *only* for *probable cause*. The person wanting the arrest or search made had to convince the court of the probable cause, and not until then was the court to issue a warrant. The warrant had to specify the place to be searched or the person to be seized. The police could not use it to invade some other place or seize some other person.

When our Bill of Rights was written, the old English provision for assuring citizens freedom against unreasonable search and seizure was included. It is expressed in the Fourth Amendment, which concludes, "no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

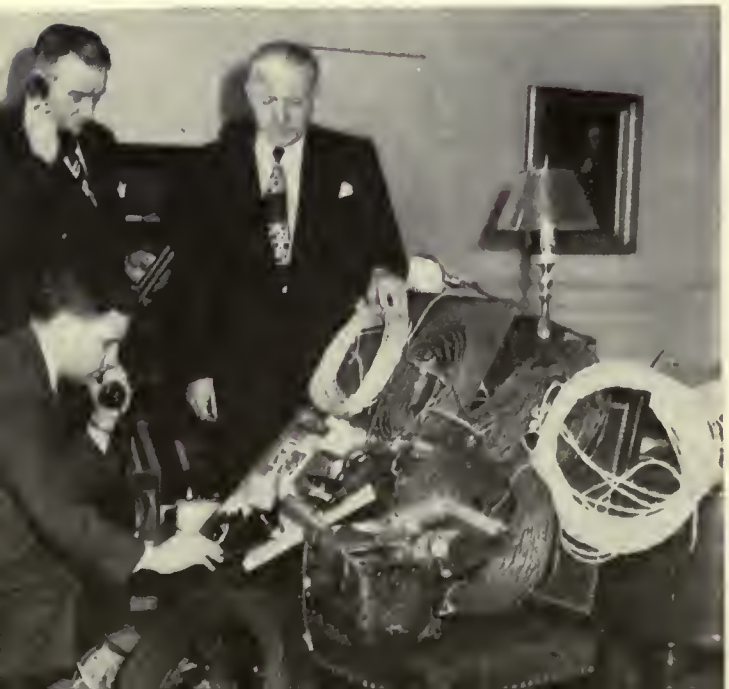
Because of the Fourth Amendment and the pattern it set for state and local governments, policemen do not have the power to come ransacking our houses at will. Americans do not live in fear of the "strong arm" methods used by law enforcement officers in countries ruled by dictators. In all reasonable instances law enforcement officers in the United States must have a warrant issued by a court designating the place to be

searched or seized. Nor will the court give such a warrant merely on somebody's suspicion. Good reason why the search or seizure should be carried out must be given the court.

The Fourth Amendment protects the individual only against "unreasonable" search and seizure. A policeman can make reasonable arrests and searches without waiting to get a warrant. If, for example, he actually saw a man shoot another person and flee into his own or somebody else's house, the policeman would surely go after him immediately to prevent his escape.

In the same way the policeman might hail somebody into court for starting a riot or brandishing a weapon. Because cars can make a speedy getaway, policemen have also been given the right to search automobiles without waiting to get a warrant. They do this, of course, only when they think the car may contain stolen goods or other evidence connected with a crime.

City officials examine wire tapping equipment that was used illegally to listen in on the telephone conversations of other city officials. The evidence gathered was therefore worthless.



It is not always so easy to decide what is unreasonable search and seizure — when the Fourth Amendment protects the individual, and when it doesn't. The courts have said that this amendment does not guarantee a person against violation of privacy. Thus, while an officer can't sneak into an individual's house and listen to his conversations to collect evidence against him, an officer can get evidence by eavesdropping, as long as he isn't trespassing on the individual's property.

Listening in on a person's conversation by tapping his telephone wires or "planting" a detectaphone in his home or office is certainly an invasion of privacy. But the courts have held that the Fourth Amendment itself does not protect an individual from this kind of invasion either.

The practice of wire tapping has led to some interesting questions and complicated answers connected with the subject of what is reasonable search. If policemen are very sure that racketeers are operating but can get convicting evidence in no other way, should they be permitted to tap telephone wires for it? In New York the law says *yes* — if policemen get a court order authorizing the specific wires to be tapped and stating the reason. Most states forbid wire

tapping generally but allow the police to use it under certain conditions.

Congress passed a law in 1934 forbidding wire tapping by *federal* officers. For this reason the Supreme Court has ruled that evidence which *federal* officers obtained by wire tapping cannot be used against a person who is being tried in a *federal* court.

Some officials in the Department of Justice proposed, in 1954, that the law regarding wire tapping by federal officers be changed to make it possible to convict persons accused of spying. This proposed change in the law was supported by many Americans as necessary to national security and opposed by many as a violation of our personal liberties.

The Fourth Amendment certainly didn't settle the matter of what is unreasonable search and seizure for all time. It established a principle that our lawmakers and law enforcement officers must observe. So our laws favor letting a guilty person remain free in preference to sacrificing this principle of individual freedom.

THINGS TO TALK ABOUT, AND DO

1. What evidences of our belief in the Premise, "The right to life," can you cite in the everyday practices, customs, and laws of your community?

2. For what offenses would a convicted person lose his life according to the laws of your state? For what offenses would he lose his liberty (be sentenced to life imprisonment)? For what offenses would he lose his freedom from involuntary servitude (be sentenced to hard labor)? If this information cannot be found in the library, arrange for one or two members of the group to visit a local lawyer or judge to get it.

3. Obtain "dummy" copies of a search warrant and a warrant for arrest at the local court house. After studying these two papers discuss how their use protects citizens against "unreasonable search and seizure."

4. Do you think getting evidence against persons suspected of crime by wire tapping is "unreasonable search and seizure"? Do you believe that the liberty of innocent citizens might be lessened with the freer use of evidence obtained in this way?

5. Houses and apartments are sometimes built and rented or sold with the understanding that people belonging to certain racial or religious groups cannot live in them. How are such restrictive agreements in conflict with the Premise, "The right to liberty of person"?

6. Dickens' novel, *A Tale of Two Cities*, gives a picture of the fight for liberty in France in the late 1700's. What other books or movies that you have read or seen recently touch on the rights to life and liberty in some way? Ask several members of the group to lead a discussion on novels or films of this type — historical or contemporary.

7. Obtain *The Challenge*, a film based on the Report of the President's Commission on Civil Rights, from your nearest film library. After seeing the film, discuss some of the problems connected with people's right to liberty that should challenge our citizens today.

8. What can the average citizen do in his everyday life to help strengthen the American guarantee of right to liberty for all people? After discussing this question as a group, ask each member of the group to write a summary of his views on the question. The summary might be entitled "What We Can Do."

Rights of a Fair Trial

THE SYSTEM OF JUSTICE in America includes many safeguards for the person who is accused of an offense. All these safeguards can be lumped under the phrase, "rights of a fair trial." These are the accused person's guarantee — whether he is guilty or innocent — of justice under the law.

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The person who has been accused of a criminal offense in America is protected by **"The privilege of the writ of habeas corpus."** This protection, like so much of our legal system, is English in origin. In 1628 Englishmen were complaining in their Petition of Right to King Charles I that this privilege was being denied them, and they came back to it again in their Declaration of Rights in 1688. The makers of our Constitution wrote in Article I, Section 9, that "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the Public Safety may require it."

What is this privilege that Englishmen and Americans have been demanding as their right for hundreds of years? Translated literally from the Latin, *habeas corpus* means "you may have the body," referring to the body of a prisoner or someone who is being held. A writ of habeas corpus orders the person who is holding another as his prisoner

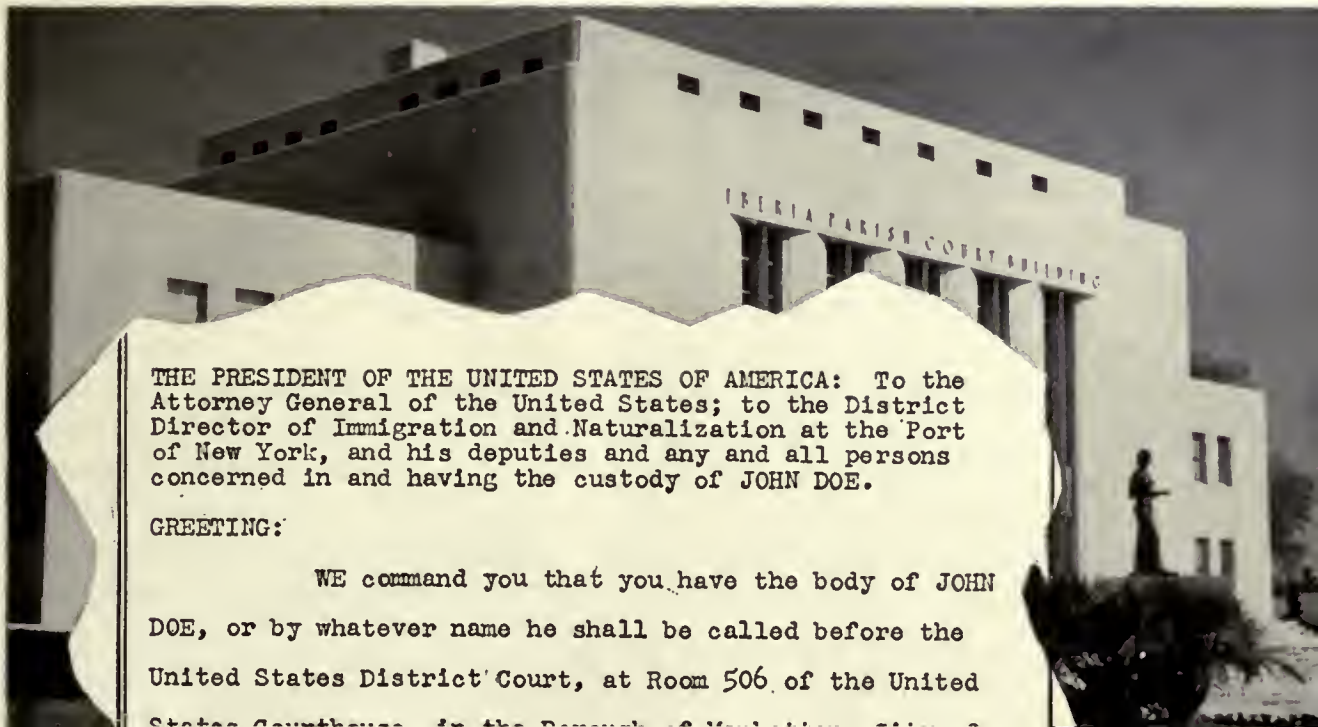
to bring him before a court of law and let a judge decide whether he is being legally held. If the judge decides that the prisoner isn't legally held, he must be set free at once. Otherwise, arrangements must be made to bring him to trial.

It is easy to see why the privilege of the writ of habeas corpus was such an important protection for the individual's liberty in the old days. Kings and other officials often threw people in jail for the slightest offense without any trial whatsoever, where they might stay till they died. But the writ of habeas corpus is just as important today, and in a greater variety of ways.

Sometimes a person who is detained or imprisoned can get his case reviewed by a court in no way except by a writ of habeas corpus. Consider, for example, the case of a foreigner who was about to be sent out of the country, though just *why* hadn't been made clear. With a writ of habeas corpus this person could require the court to decide at once whether he was being legally deported. Another example is the case of a man who questioned whether his classification was legal when he was drafted into the Army. By a writ of habeas corpus he got court action immediately.

The Constitution permits the writ of habeas corpus to be suspended (denied to citizens of the whole nation) in wartime. President Lincoln was soundly criticized, however, for ordering it suspended during the War Between the States. Congress authorized the order, but the Supreme Court said the writ had been denied illegally in a case it was asked to pass on after the war. Since

A federal court issued the "dummy" writ of habeas corpus shown below. A writ issued by a state court — and the writ would have to be issued by a state court if the prisoner were in state hands — looks much the same.



THE PRESIDENT OF THE UNITED STATES OF AMERICA: To the Attorney General of the United States; to the District Director of Immigration and Naturalization at the Port of New York, and his deputies and any and all persons concerned in and having the custody of JOHN DOE.

GREETING:

WE command you that you have the body of JOHN DOE, or by whatever name he shall be called before the United States District Court, at Room 506 of the United

The foreman of a grand jury being sworn in at the beginning of a hearing against an accused person. This step impresses the juryman with the seriousness of the responsibility he is assuming.

then habeas corpus has been denied to persons in wartime only in special instances. It is one of our oldest and most jealously guarded personal liberties.

There is good reason why the Constitution permits the suspension of the habeas corpus privilege during wartime. Usually, under certain terms set by a judge who hears the case, the accused person is allowed to move about freely like any citizen until brought to trial. It could be very dangerous to the public safety to allow deserters or persons whose loyalty was in question to have such freedom.

Under the American system of justice it is possible for an accused person to be free until he is brought to trial. He has **"The right to bail."** This is the individual's right to pledge, or get other persons to pledge, a certain amount of money that he will be on hand when the time for his trial arrives. The money is forfeited, of course, if the accused person "jumps bail," skips out of the country or out of reach of the law. However, if the accused person keeps his pledge to appear, the bail is returned.

The Eighth Amendment to the Constitution, which guarantees the right to bail, just assumes that an accused person has this right, and says simply that "Excessive bail shall not be required." The amount is set by the court, and whether it is large or small depends on the seriousness of the offense the person is accused of, and upon his reputation in the past.

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The way in which an individual accused of a really serious crime is brought to trial in our country is one of the safeguards for assuring a fair trial. He has **"The right to indictment by grand jury."**

The Fifth Amendment to the Constitution says that nobody shall have to stand trial for "a capital, or otherwise infamous crime" unless he is indicted (officially accused) by a *grand jury.* This is important because a person con-

victed of a *capital* crime may be put to death. A person guilty of an *infamous* crime can be sent to jail or sentenced to hard labor for a long time.

A grand jury is an official body made up of ordinary citizens who hear, in secret, the evidence against a person accused of a crime. This body, usually twenty-four persons, then decides whether there is enough evidence to indicate that the person should be tried in a public trial. Generally every county has its list of citizens chosen, often by lot, to serve on grand juries and pass on the persons accused of committing crimes within its boundaries.

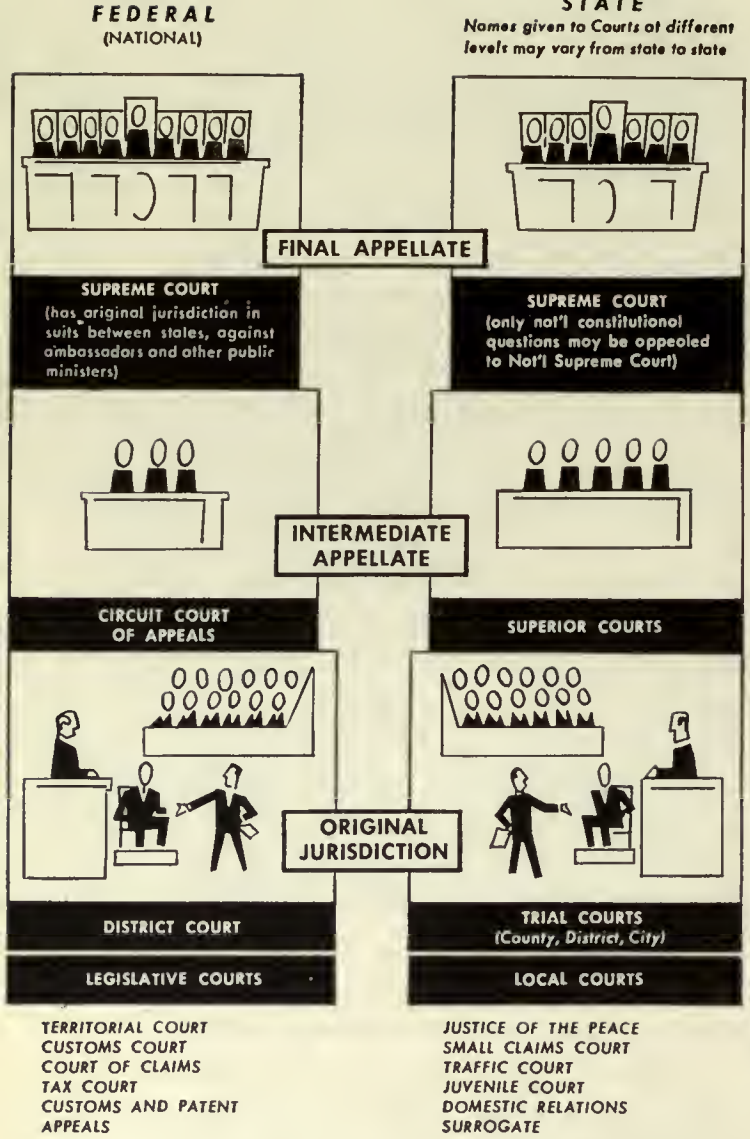
Most of our states have the requirement for indictment by grand juries in criminal cases — crimes against society — in their constitutions, too. For criminal cases involving state laws, a few states provide that the accused person be indicted by a single official, such as the district attorney. For acts punishable by a fine or a sentence to the county jail, grand jury indictment is not required. For cases involving national laws, however, the grand jury provision in the Fifth Amendment has to be observed, no matter in what state the crime is committed.

The laws for indicting a person accused of a crime do not permit even high government officials such as the President, senators, or governors to bring a person to trial. That job can be done only by court officials whose sole business is justice.

Let us suppose that a grand jury, after hearing and weighing the evidence against a person accused of a certain crime, decides that he should be tried. So it indicts him. The indictment does not say he is guilty, but simply that, on the evidence, he may be. That individual has further assurance of justice in his guarantee to **"The right to a speedy, public, and fair trial."** Most of the benefits included in this guarantee are based directly on the Sixth Amendment, which begins with the words, "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial."

A fair trial, as defined by the Sixth Amendment, entitles the accused person to legal advice or counsel. If he hasn't enough money to hire a lawyer to help him in his defense, he can ask that a lawyer paid with public money be assigned to help him. He has the right to be tried in the district in which the crime occurred, but if he feels that he would get fairer treatment, he may ask that the trial be held elsewhere. Whether such a request is granted is up to the judge.

In all instances except those involving very small penalties, the accused can demand to have his case heard by a trial jury (composed of citizens like himself) rather than one judge. This jury — the trial jury — is a different group from the grand jury which indicted the accused, although it, too, is made up of ordinary citizens.



Graphics Institute for "The American Government," by Merriam & Merriam; Ginn & Co.

To help explain our system of courts to which American citizens may go for justice under law.

The person on trial can also insist that the men and women who make up the jury do not already think him guilty, or are likely to come to that conclusion because of the people they work for, some personal connection, or prejudice. The jury must be impartial.

It does not say — in so many words — either in the Bill of Rights or the Constitution, that an accused person has a right to be considered innocent until proven guilty. All the rights to a fair trial spell out this fact, however. The burden of proof rests with the prosecution (the party who is accusing), not with the accused. This doesn't mean that the accused can't do anything to prove his innocence. The Sixth Amendment specifically states that he can ask that witnesses be compelled to appear and tell their story in his presence. Then he or his lawyer can question them.

Investigations or hearings carried on in recent years by committees of congressmen to discover disloyal or subversive citizens are not trials. But some of the persons questioned at these investigations relied upon one of the rights to a fair trial when they refused to give answers that might link them with communism. Instead, they replied, "I refuse to answer on the grounds that it might incriminate me."

Many Americans believed that the people giving this answer in these investigations should have answered *yes* or *no*. Their *right* to refuse to give *yes* or *no* answers, however, is found in the Fifth Amendment in the words, "nor shall any person . . . be compelled in any criminal case to be a witness against himself."

The right of the accused not to testify against himself, sometimes called the privilege against self-incrimination, is one of the rights that throws the burden of proof on the party that is doing

the accusing. It protects the right of the accused to be considered innocent until proven guilty.

In spite of all the safeguards to justice, a person who has been tried and convicted may still feel that he has not had a fair trial. If he does, he has the right to appeal his case, to have it reviewed by a higher court. Maybe he can start all over again with a new trial because new evidence has been discovered. Perhaps he can get his case reviewed by a higher court and a new trial ordered because he can point to some error that was made, some letter of the law that wasn't lived up to, in his first trial.

The right of appeal doesn't mean, however, that an individual can get a new trial or have his case reviewed by a higher court just by saying that the jury's decision was unfair.

The American's right of appeal after conviction in one court is, as might be guessed, based on the practice that was followed in England. It is a great bulwark of justice. It is a right that can be exercised by the party that brings suit (puts another on trial) as well as by a party that has been convicted.

A case that begins in a lower court in a county may be appealed to a district court, and finally to the highest court of the state. If the case involves

The clerk's desk in a courtroom where members of a trial jury are being excused from duty. The strange looking box at the right contains names of citizens from which jurors are picked.

some federal law, such as freedom of speech or national loyalty, it may be appealed to the Supreme Court of the United States.

The right of the loser to appeal might be a disadvantage to a convicted person were it not for the right of freedom from *double jeopardy*, guaranteed in the Fifth Amendment. The word *jeopardy* here means "danger of being found guilty, and punished." The Fifth Amendment says in its double jeopardy clause that this shall not happen to a person twice for the same offense. In other words, if a person is cleared of a crime in one trial he doesn't have to live under the fear of being tried all over again, even if new evidence is discovered indicating that he is surely guilty.

There are times when a person cannot claim double jeopardy when he is faced with a second trial. For example, he is not being put twice in jeopardy if he is tried for the same offense in both a federal and a state court. These courts are in two separate systems, operating under two sets of laws. It is not double jeopardy if a person is brought to trial a second time when no decision was reached the first time. This might happen if the court session closed before a decision was reached, if the jury couldn't agree, or if the judge or necessary witnesses became ill.

Freedom from double jeopardy may protect the convicted person from being punished twice as well as from being tried twice. For example, a judge can't impose a fine, and then decide later after the fine is paid, to send the person to the penitentiary, too. If both punishments are given, they must be given at the same time as one penalty.

Dunking in icy water, pictured below, was only one of the "cruel and unusual" punishments made unlawful by our constitutional guarantee.

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The Eighth Amendment to the Constitution, and the constitutions of the states, guarantee a convicted person **"Freedom from cruel and unusual punishment and from excessive fines."**

In our system of justice, penalties for crimes are fixed by law to fit the crime. Back of the law is the belief that punishments should be as humane as possible. Punishments by torture, therefore, are not allowed however horrible the crime committed. Few crimes are punishable by death, and when death is the penalty, the intent is to make it swift and sure.

On the questions of what is cruel and unusual punishment and excessive fines, the opinion of the judge is sometimes important. Often the law leaves

some leeway to him in sentencing a particular person for a particular crime. For example, the law may specify a fine of not more than $5,000, or a penitentiary term of not more than ten years. So, while a judge can't penalize beyond these limits, he might give a sentence of less than the maximum.

THINGS TO TALK ABOUT, AND DO

1. Ask someone in your community who has served on a grand jury to give your group a general description of how these investigations are conducted. An official of the local court could help you locate such a person.

2. Why do you think the right to indictment by grand jury was included in the rights of a fair trial? Refer to a text of English history to get a picture of the trials in England before the 1700's.

3. Of what advantages to an accused person is the right to bail?

4. What is the importance of the words *speedy* and *public* in our guarantee to a fair trial?

5. What are the advantages of a jury trial rather than a decision by the judge of the court? Can you think of any disadvantages?

6. In what instances might it be to the advantage of an accused person to have his trial take place outside the district in which the crime occurred?

7. Make arrangements to visit your local court while it is in session. If possible, have a court official meet with the group at the end of the visit to answer questions about the session and the work of the court in general. For example:

a. Is there any particular type of case that comes up oftener than others? Are decisions on most cases made by juries or judges?

b. How does the court select the names of persons on whom it calls to serve on trial juries? How does the court decide that the persons selected for the jury in a particular trial are *impartial*?

c. Have any cases recently decided by the local court been appealed to a higher court? What happened as a result of the appeal?

d. What happens if a person requested to appear as witness at a trial does not appear?

8. Obtain the film *Justice Under Law* from your nearest film library. In the discussion that follows the showing of the film, point out and discuss ways in which it illustrates the Premises dealing with "Rights of a Fair Trial."

9. Invite a local lawyer to talk to your group about our court system, the various courts of which it is composed, and the kinds of cases tried in each. Ask him to talk also about any changes that ought to be made to improve our court system.

10. If you were called upon to do so, how would you defend this statement often made about the American system of justice: "It is better to allow the guilty to go free than to punish the innocent"?

Freedom from Unjust Laws

THE OFFICIALS who make the laws in the United States have certain legal standards to guide them. These are the fundamental guarantees in the Constitution and its amendments, put there to protect individual freedoms, privileges, and rights. All other laws Congress passes are *just* or *unjust*, according to whether they observe or violate these guarantees.

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The Fourteenth Amendment to the Constitution, passed after the War Between the States, guarantees all United States citizens **"The right to equal protection of the laws."** As a result of it we can say that it is not only unjust but also unlawful for any of our three levels of government to interpret the laws one way when dealing with one citizen, and a different way when dealing with some other citizen. All citizens in a democracy have the same rights, and one of these rights is living by the same rules.

The Fourteenth Amendment says that "All persons born or naturalized in the United States" are citizens of the United States and of whatever state they live in. Its purpose, when it was written, was to protect the Negroes who had just been freed from slavery. Many of the cases involving equal protection have had to do with laws requiring segregation or separation of white and Negro

citizens in schools, theaters, trains, and restaurants. Many other matters that have come before the courts, however, have involved the principle of equal protection. Some have been concerned with women's rights, some with progressive taxation, and some with labor relations.

It is important to remember, in discussing the right to equal protection of the law, that a citizen claiming violation of the right has to bring his case to the courts to prove it. Recently four persons in four states carried their cases regarding the separation of Negro and white pupils in the public schools all the way to the United States Supreme Court, which ruled against this practice.

For fifty years before the Supreme Court made this decision, laws providing for the maintenance of segregated schools had been considered constitutional. The courts had held that separate schools, like transportation accommodations, were lawful as long as "equal" facilities were provided. But in 1954 the Court said, "We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."

This decision made it necessary to take steps to change the laws providing or permitting segregated schools in twenty-one states and the District of Columbia. The Court has also recently

A reminder of the day, some forty years ago, when women were campaigning for equal legal rights.

Justice under the law! Perhaps one of the victims thought he "could get away with it" because he was a poor old bum; the other, because he was a man of wealth. They received *equal* treatment.

ruled against segregation in public housing. These decisions have been hailed, in other parts of the world as well as in the United States, as a great step forward in the protection of human rights.

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If Congress or some other lawmaking body passes a law that denies a right guaranteed to Americans, the courts can throw the law out. Americans are protected by the Premise, **"No law may abridge the constitutional rights and guarantees of persons."**

Constitutional rights and guarantees include such fundamentals as freedom of religion, speech, and press, and rights to a fair trial, life, liberty, and property. A law that denies any constitutional guarantee is called *unconstitutional*—if someone challenges the law and the courts rule it unconstitutional. The Supreme Court of the United States has the final say.

The Federal Constitution and the Bill of Rights protect the people against unconstitutional laws passed *by Congress*. For example, the First Amendment says that *Congress* shall not make laws denying certain rights. Until the Fourteenth Amendment was added to the Constitution, however, it was still possible for the *states* to pass laws denying constitutional guarantees. Now, the Fourteenth Amendment specifically says, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

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Americans have two guarantees that protect their rights to life, liberty, and property. The Fifth Amendment

states that no person shall be deprived of these rights "without due process of law." This means that the *Federal Government* shall not pass laws taking away people's guaranteed liberties. The Fourteenth Amendment repeats almost the same statement except that it says, "nor shall any State deprive." The two amendments, therefore, form the basis for the Premise, **"No law may deprive any person of life, liberty, or property without due process of law."**

In accordance with this Premise any law or regulation — whether passed by Congress, a state legislature, or a city council — that might put an individual in prison without a fair trial is an unjust law. So is any law that would prevent people from moving about freely, from one part of town to another, from city to city, or from one part of the country to another. Orders of this kind and regulations depriving people of their personal property have not been uncommon in countries ruled by dictators. They have no place in a nation where men are free.

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The Constitution was written just four years after the close of the Revolutionary War. The men who wrote it put in many provisions to prevent a repetition of some of the bitter experiences the Colonists had just had with the British King and Parliament. As a result, Section 9 of Article I of the Constitution lists a number of things that Congress cannot do. From this list come two Premises, protection against two particular kinds of laws: **"No *ex post facto* law may be passed,"** and **"No bills of attainder may be passed."**

An *ex post facto* law is one that would make a person punishable for something he did which wasn't considered a crime when he did it. Such a law might also be called *retroactive*. It is clear that if legislators could pass such laws, nobody could ever be sure whether he was a law-abiding citizen or not.

The provision in the Constitution does not mean that lawmakers can't make something a misdemeanor just because it hasn't always been considered so. For example, even though it was legal to park a car in a certain place last week, it may be illegal today. But persons can't be fined now for parking in that spot last week.

"No bills of attainder may be passed" is another way of saying that Congress can't pass any law that punishes a person without allowing him a trial. Any law that singles out and penalizes a particular person or group of persons is a bill of attainder. Such a law would punish automatically, violating our fundamental belief that every individual is entitled to a fair trial.

The Court threw out some laws passed by Congress after the War Between the States because they seemed to be bills of attainder. One of these laws provided that men in certain professions had to take an oath that they

It can't make any difference to the cottontail, but can the hunter claim that being arrested for this shot is unjust because the law is *ex post facto?*

had never borne arms against the United States. This automatically punished men who had been in the Confederate forces by denying them the right to follow their chosen line of work. The man who took one case to court where the law was ruled unjust was an attorney. Had this law not been thrown out, it would have barred him from ever practicing in the courts of the United States, even though he had been pardoned by the President.

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Because **"Treason is specifically defined in the Constitution,"** an American can be convicted of treason only if what he or she does fits that definition. It says:

> *Treason against the United States shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.*

Levying war includes, according to court decisions, entering into a conspiracy or planning with others to bring about a change in the government by force. *Giving aid and comfort* to enemies is knowingly giving them assistance of any kind. An *overt act* is simply an "open" act, one that somebody could witness and hence testify to.

Crying treason was a common practice of the autocratic rulers of the past. It is a practice that modern dictators have found useful, too. Real treason is a very serious crime, usually punishable by death. So autocratic rulers have frequently found it a convenient weapon for silencing criticism, and for getting the critics who wouldn't be silenced out of the way.

Acts often associated with treason — sedition, disloyalty, subversion, espionage — have frequently been headline news since Americans have become concerned with the threats of dictators. Disloyalty and sedition are not the same as treason and do not carry the same penalty, although they are sometimes called "treasonable." The definition of treason in the Constitution, together with specification of the only way by which anyone can be convicted of it, is a final and precious safeguard for this very reason.

Calling a person disloyal to his country, however, is a very serious matter whether "treasonable" is meant or not. Unless soundly based on facts this kind of charge may make an innocent person suspect by people generally and deprive him of a chance to get a job and earn a living.

THINGS TO TALK ABOUT, AND DO

1. In some countries any person who wants to move from one town to another, or even visit friends or relatives in another town, is required by law to carry certain identification papers and permits authorizing these movements. Why would any governing body in the United States hesitate to pass such a law? What would probably happen to the law if it were passed?

2. Ask one member of the group to moke o report on the National Industrial Recovery Act passed in 1933. Why was this law ruled unconstitutional by the Supreme Court?

3. Suppose an individual believes he is being unfairly treated, his constitutional rights denied by a certain law. What steps could he take to prove his case or have the law tested?

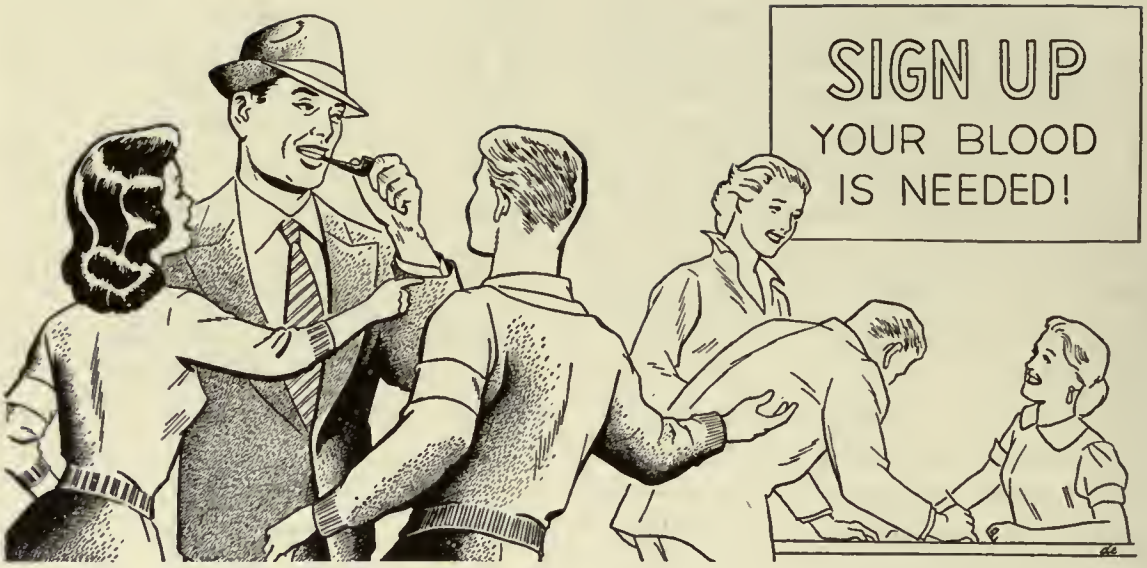
4. Appoint a committee to make up and report on some imaginary laws that would be unconstitutional because they are ex *past facto* laws, or bills of attainder. Ask o lawyer to check the list.

5. Look up the meanings of *seditian, espianage, subversian, disloyolty*. Compare their meonings with *treasan* as defined in the Constitution.

6. Select one member of the group to make a special report on the conditions that led to the Alien and Sedition Acts, passed when John Adams was President. What did the Acts provide for? Why were they objected to?

7. Some people believe that people's rights would be better protected todoy if the investigation of persons who may be disloyol to our country were done solely by the Federal Bureau of Investigation. What do you think about this? What ore the advantages ond disadvantages of having public investigations conducted by congressional committees or private groups?

8. To test your understonding of the Premises in this section, write an essay entitled "How American Citizens Are Protected Against Unjust Laws."



Social Responsibilities of the Individual

A GOOD AMERICAN CITIZEN has more to do than enjoy his guaranteed freedoms. These give him his chance. The rest is up to him.

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There is no law that says the free individual must **"Develop personal integrity and act with moral courage."** This is, nevertheless, an important Premise — one of several that say we should learn to give as well as take.

Integrity might be called just another word for honesty. Because it is such a personal matter it is very hard to say exactly what integrity is and how it can be developed. Each person must build up his own code of what is the right way to live, the best way to treat his fellow men. Some people do this by talking and thinking things over with persons whom they admire and feel close to. "The something" inside each individual which we call conscience will tell the individual what is right and how to act if he will but listen.

It is somehow easier to tell when personal integrity is lacking than how it is developed. A person isn't showing integrity when he talks one way and acts another. He shows neither integrity nor moral courage when he agrees with everybody and stands for nothing.

During the 1952 basketball season many people were shocked at the lack

of integrity shown by several college basketball players. It was found that these players had agreed with gamblers to throw certain games for a price. But there was also much discussion at the time as to whether the boys were any more lacking in integrity than the adults who had influenced them or failed to help them develop better values. Somehow the boys had been led to overvalue money and what it will buy.

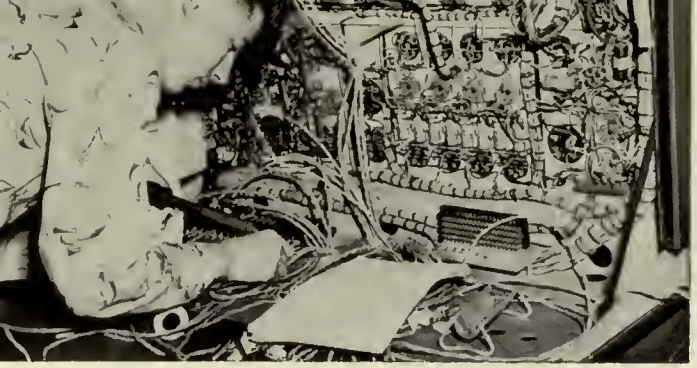
A person may show integrity by such a simple thing as keeping his word to do a favor or complete a job. He may show moral courage by backing down on a promised favor if it turns out that doing a favor for one person would mean being unfair to others. Sometimes it is necessary to "let down" a friend or the gang, even though it hurts. That is, it is *necessary* if one wants to be honest with himself.

Self-respect is the beginning of integrity and moral courage. Shakespeare said:

> *This above all: to thine own self be true,*
> *And it must follow, as the night the day,*
> *Thou canst not then be false to any man.*

A statement said to have been made by the Jewish teacher, Hillel, who lived before Christ, also shows that integrity and right conduct start with the individual. It goes: "Do not do to others what you would not do to yourself."

Personal integrity wins! Who of us hasn't experienced a similar situation in which, after a struggle, our conscience told us what to do?



The high school students in the pictures above are assuming responsibility for developing their skills — in electronics, medicine, and publishing. Millions besides themselves may benefit.

There is no law that says a good citizen must **"Develop his talents and his skills in the fields of his interest."** In a free country this Premise has to be a responsibility that the individual feels and responds to voluntarily. He owes it to himself and to others to make the most of his capabilities. It takes the pooling of all sorts of talents to produce all the things that make living really exciting, full, and good.

Democracy thrives on variety. The "best" way to do a thing is best only until somebody finds a better one. The person who doesn't throw his contribution into the pool is depriving others besides himself. How good a football team, band, or newspaper a school has, for example, depends upon how many students with something to contribute pitch in and help.

Democracy can exist only if all citizens contribute. It assumes that people have different talents. Those who have ideas should express them. Those who can lead should develop this talent. Those who consider themselves followers should develop what may be the greatest talent of all — keeping the leaders "on their toes." As the Athenian statesman, Pericles, put it more than two thousand years ago, "If we are not all originators, we are all sound judges of policy." Pericles disagreed with those who called the inactive citizen *harmless*. Pericles' term for the person who didn't take part in public affairs was *useless*.

It is every citizen's responsibility to **"Restrain the exercise of his rights so as not to harm the general welfare or violate the lawful rights of others."** If individuals persist in ignoring the lawful rights of others, sooner or later government may step in and restrain them. The Supreme Court decided, for example, that a group couldn't exercise the right to free speech by operating a sound truck in a park and disturbing the right of others to think their own thoughts.

The person who waits for the law to step in and restrain him is not living up to this Premise, however. A country cannot long remain free if many of its citizens live by the rule that almost any behavior is all right as long as they can get away with it.

Dozens of incidents occur in and around the school that result in unhappy rules and regulations. Often the rules would never be necessary if students really thought about the need to restrain talking in the hall, to park cars with some regard for the next driver, to treat the cafeteria like a dining room. Probably every home and community has a number of annoying Do Nots that could be eliminated if each member exercised his rights with some thought for the other fellow.

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A responsible citizen should, **"In time of national emergency, accept the restriction or even the suspension of some of his rights and privileges in the interest of public security."**

A "time of national emergency" is any time when the nation's welfare or safety is in danger. The early 1930's was a period of national emergency because millions of people were without jobs, banks were failing, and business generally was almost at a standstill. The threat of war may create a national emergency. If war is declared, an extreme emergency exists.

During World War II every person in America was asked to accept restrictions and suspensions of some of the rights and privileges he normally enjoyed. People with the money to pay the price were used to buying what they wanted. But to try to make sure that there would be enough materials for war, and that the rest would be divided equally among civilians, the Government set up a system of rationing and price controls. Everybody was supposed to make his old car, refrigerator, radio, and other conveniences last until the national emergency was over. Everybody was asked to expect only his share of meat, sugar, fats, gasoline, shoes, and canned fruits and vegetables.

Goods which people could normally buy if they had the money were only a

Restraining the exercise of their rights? Mindful of the general welfare? Words aren't needed.

Normally people come and go at will on this street in a midwest town. But a rampaging Mississippi flood has created an emergency. Even owners of the houses must accept temporary restrictions.

part of the things Americans were asked to give up in World War II. Publishers of newspapers as well as readers had to accept the fact that some news couldn't be published because it might leak information to the enemy. To save transportation facilities for war materials, troops, and persons connected with the war effort, civilians were asked to restrict their travel.

Most people accepted the restrictions which the national emergency placed upon them. Among the exceptions were those Americans who ignored their responsibility and bought and sold goods in the black market, in violation of rationing and price controls. The law caught up with some of these people, but others who evaded their responsibility went unpunished.

One responsibility of the individual is looked upon more as a privilege than a responsibility by many people. This is the Premise that says the individual should **"Give direct, unselfish service to his family, his community, and his nation."**

Why do some people feel the responsibility for serving so strongly that it becomes a privilege? Maybe it is because of a strong strand in our religious background which we share, regardless of any particular faith. This makes us believe that "It is more blessed to give than to receive." Children are selfish when they are babies, but are taught from infancy that they should think of someone besides themselves, and should share with others. Parents, children, and friends almost always feel that they

must show their affection for each other by giving, even if the giving requires self-sacrifice.

When doing for others reaches outside the circle of family and friends, it becomes *public* service. In every community there are men and women who are eager to serve on boards and committees, or for a chance to work endless hours for which they receive no pay except the satisfaction that serving brings. Others run for public office when they could make much more money in business or industry. But they receive the admiration and approval of their fellows; people look up to them; they feel "good" because they have importance and prestige in the community. These things are often more satisfying than being paid in money.

Is service that brings the server so much satisfaction wholly unselfish, or is it "unselfish selfishness"? This may be an interesting question to discuss. Whether one or the other or both, it is a way of getting the most out of life. Without the direct service volunteered by millions of men and women much of the world's work would never get done. If people always stopped to ask, "How much will I get paid for it?" our tomorrows would never be better than our yesterdays.

Some people serve their fellows and the public welfare by contributing money. This is a necessary and important kind of service. It does not, however, take the place of the kind in which

"Direct, unselfish service." Sandwiches for disaster victims, all made by volunteer hands.

the person gives of himself. More than a hundred years ago the French scholar Rousseau wrote: "As soon as public service ceases to be the chief business of citizens, and they would rather serve with money than their persons, the State is not far from its fall."

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There is one service required of the citizen in a democracy that money cannot pay for. The individual must, **"If need be, take up arms in defense of his country."** There are citizens who, because of personal convictions, are opposed to fighting in any form. They are known as *conscientious objectors*. They are allowed to substitute some other form of service for military service. Some of these people have served the nation by acting as "guinea pigs" for experiments in medical research.

Military duty is unlike other forms of public service. It can be required by

law, "if need be." Congress, under its constitutional power to raise armies and provide for the common defense, decides when the need arises.

Up to 1940 United States citizens had never been drafted for military service except when the country was actually at war. Volunteers provided as many men for defense as were considered necessary. But conditions have changed. Because of our responsibilities as a nation and the threat of communist aggression since World War II, Congress has continued the draft law as a part of the national security program.

The Selective Service Act requires that all males between the ages of eighteen and twenty-six be registered for military service. They are then classified and called for training as they are needed, to replace those who have fulfilled their responsibility and have been discharged.

Volunteers still form the base of military service in the United States. There are volunteers in all branches of the armed forces. The National Guard, officers reserve corps, and all the women's divisions are composed of members who volunteer to serve their country.

Mixing the numbers and filling the bowl for the national draft lottery in World War II. Draftees had to answer the call as their number was drawn. The scheme of calling has changed, but every American boy knows that military service has first call on his time as soon as he has reached his eighteenth birthday.

THINGS TO TALK ABOUT, AND DO

1. Besides the teachings of his home, his school, and his church, what other things influence a person's ideo of what is right ond what is wrong?

2. Give exomples of situations in which young people sometimes find themselves when they may feel that they shouldn't "go along with the gang," but find it very hard not to.

3. What opportunities for young people to develop their talents ond skills are provided by the high school in your community? By other community organizations?

4. Whot are some of the reasons why people foil to develop their talents and skills?

5. What arguments would you use to persuade young people to take port in school or community activities for which they do not get school credit or pay?

6. Cite instances connected with recreotion in which you and other individuals hove to restrain the exercise of your rights in order not to horm the general welfare.

7. Why are civil defense regulotions necessary? What are citizens in your community doing to assist in civil defense?

8. Moke o list of the orgonizations in your town in which citizens work voluntarily. Which ones of these seem to you to be of greotest value to the community? Interview some of the leaders of the organizations to get their reasons for doing voluntary work.

9. What things, or improvements, ore needed in your community that no organization seems to be working on? Discuss what steps your group might take to get other people or orgonizations to work with you in bringing about some of these needed improvements, and put your plan into action.

10. Appoint a member or members of your group to talk with the local draft board ond make a report on how its members were chosen ond the rules it follows in calling men for militory service.

11. Divide into committees to write ond present o series of skits showing the various social responsibilities of the citizen in our democrocy.

The Free Government

Free Government, to Americans, means representative government, government in which all the people have a voice through their votes. It is government by laws, made and carried out by leaders whom the people choose.

Twenty-four Premises will be discussed under the Free Government.

Seven Premises explain our basic political beliefs, the beliefs that guided the Founding Fathers when they wrote the Constitution. All governments in the United States — local, state, and national — are set up to operate in accordance with these beliefs.

Five Premises point out how the authors of the Constitution tried to make sure that we the people could always keep control of government instead of having government control us.

Four Premises deal with political rights that belong to each and every citizen.

Eight Premises summarize the responsibilities that we as individuals and groups should carry out if we want to keep our free government.

Basic Political Beliefs

Because americans love freedom, they have developed a kind of government that they think will give them the most freedom possible. It is a government based on certain political beliefs that we had used in Colonial days and that we continued to use when we became a nation.

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Most fundamental of all American ideas about government is the belief that **"Men have the ability to govern themselves."** Destroy this belief and all our governments — local, state, and national — go too. We believe that men can govern themselves because they are human beings. As human beings, they can reason and plan to make living together orderly, safer, and happier.

The Athenians with whom the idea of democracy originated believed that *some* men were capable of governing, but not all. In Athens all citizens had a direct vote in deciding such questions as how much they should be taxed and how large a fleet and army they should maintain. But many of the people of Athens were either slaves or foreign-born residents. These people were barred from citizenship and could take no part in government in any way.

The Athenian democracy, which was rule by all citizens, was a wonderful thing for its day. But it did not last, and

the Athenians went back to rule by the few. The Romans also had a kind of democracy when their state was "growing up." Instead of all citizens voting directly on issues and laws as they did in Athens, the Roman citizens elected representatives to make decisions for them — similar to the way we elect lawmakers to our state legislatures and Congress. But in old Rome democracy was limited as it was in Athens. Not all persons could vote, and for centuries the highest offices could be held only by noblemen. And again the citizens lost control, and the power to govern passed to the emperor and a few men around him. The idea of democracy, however, didn't die.

The belief that men can govern themselves came to life again in England more than a thousand years after it had declined in Rome. It got a brand new start in America when the Colonists rebelled against English rule and announced to the world, "We can govern ourselves." People in other countries watched, many hopeful that the new experiment would succeed, others sure

Given the opportunity young people as well as adults have the ability to govern themselves, as these representatives of a recognized, up-and-coming student council have demonstrated. Here, they are on the air to tell listeners about some of the citizenship activities students are engaged in, and to answer criticism from their elders that today's youth are irresponsible.

that democracy would finally fail as it had failed in Athens and Rome.

We have made many mistakes, large and small, but American democracy hasn't failed yet! The very fact that our government has existed for more than 175 years is one of our best reasons for believing that men can govern themselves. We have seen it work.

Since we started out as a nation more than 175 years ago, more and more people have been given a chance to vote and participate in the process we call self-government. For instance, in 1789 Pennsylvania did away with the requirement that male citizens must own property in order to have the right to vote. Slowly, other older states killed the laws that limited the right to vote to owners of property.

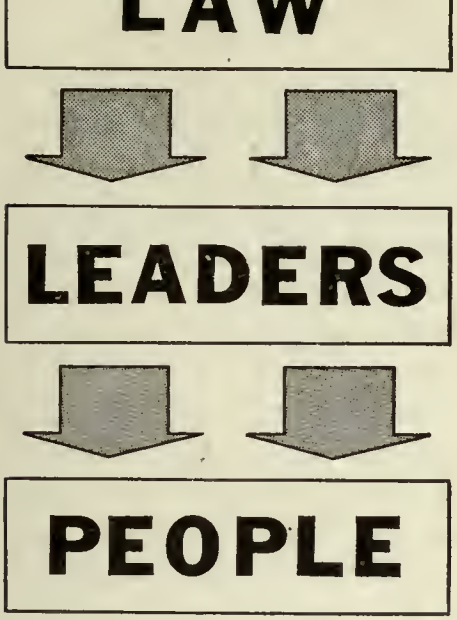
For some years, in most states *voters* meant free, white males, twenty-one years of age and older. In 1870 the Fifteenth Amendment did away with race or color as a qualification for voting. In 1920 the Nineteenth Amendment, giving women of voting age in all states the right to vote, was added to our Constitution. Now, in one of our states eighteen-year-olds can vote. In spite of such forward steps as these toward more democracy, there are places in our country where voting laws make it very difficult, and even impossible, for some people to vote. (See page 82.)

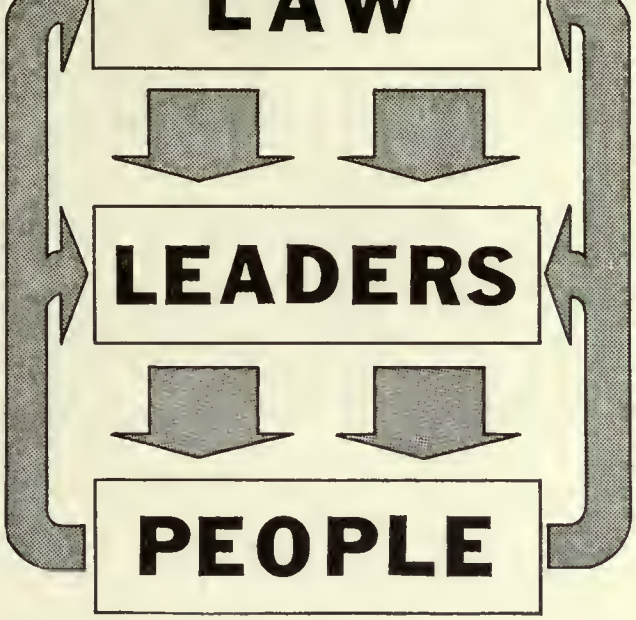
There have always been very sincere and intelligent people who doubted man's ability to govern himself. The Greek philosopher, Plato, who is considered one of the world's greatest teachers, was scornful of democracy. He knew that it had failed in Athens. He wanted justice for all people and thought that only the wisest people could govern so that all would receive justice.

Plato wrote a book called *The Republic*, describing his idea of a perfect country. In this imaginary country the population was divided into three classes. There was an intellectual group from which the governing officials were chosen; a warrior group, trained to protect the country; and a worker group which carried on the country's production and business.

Like Plato, we believe that governing requires wisdom, and we know that all individuals are not equally wise. But we don't believe that ability to govern is restricted to any one group in the population. We can point to the backgrounds of some of our ablest Presidents and other public officials, and see how widely these backgrounds have differed. High school boys and girls know that a son or daughter of a factory worker or a storekeeper can be just as good a representative for student council as a student whose father is a teacher or doctor.

There are, however, two very important points to remember about our belief that men can govern themselves. The first is that it takes practice. People who have always been governed can't be expected to govern themselves as well as those with some experience. A





The two diagrams above illustrate a big difference between a dictotorship in which the people are *ruled,* and our kind af government in which oll power comes from the people. In bath instances there are people, leaders, and laws, but the secand set of arraws pointing upward is the key to the difference.

good way to develop ability in self-government is to start early and take part in making decisions about personal, family, and school affairs.

The second thing to remember about men's ability to govern themselves is that men have to keep proving it. Each generation has new and different problems to solve. The fact that our grandfathers were able to govern themselves doesn't prove that we can do as good a job of it. Some people say we have to do better than our grandfathers did in order to do as well, because the problems of government get tougher and tougher.

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A very basic political belief held by Americans is that **"All power belongs to and comes from the people."** *Power* here means power to govern — a combination of ability and right. Because the American Colonists believed they had the power to govern, they felt justified in breaking away from English rule and setting up their own government. As it is stated in the Declaration of Independence, "Governments are instituted [started] among Men, deriving [getting] their just powers from the consent of the governed."

The Preamble to the Constitution also recognizes that the power to govern belongs to the people. It begins, "We the People." It doesn't say, "We, James Madison, George Washington, Benjamin Franklin, and the other men who helped write the Constitution." It doesn't say, "We, the President, the Congress, and the Supreme Court," which is what we often think of when

we refer to government. The Preamble says, "We the People."

Believing that political power belongs to the people is not exactly the same thing as saying the people are the government or the government is the people — expressions we sometimes use. Direct government, in which everybody may take a personal part in deciding every issue, can be effective if the number of people concerned is small and all understand every issue. But direct government gets cumbersome when large numbers of people take part all at the same time.

Problems of government today are so big in size and numbers as to be a full time job. The members of one class in the school can deal with the problems and issues that affect this small group. But imagine a student government composed of two thousand or more students, all trying to deal directly with problems and issues affecting the whole school! Isn't the answer to have these two thousand or more students choose representatives? In other words, the people's power to govern lies not in their doing the governing themselves, but in their choosing representatives to make and carry out decisions they approve.

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In a democracy like the United States, where the people depend on their representatives to govern for them, **"Public officials are responsible to the people."** We believe in this Premise because we believe that the power to govern belongs to the people. The people just entrust some of this power to the public official for the period of time he is in office. If they don't like the way he uses their power, they take it away from him and entrust it to somebody else. One official who hadn't satisfied the people to whom he was responsible and who wasn't re-elected had this to say when someone sympathized with him: "The people had a perfect right to give my job to somebody else. I asked to represent them. I was their hired man, entrusted to do what they wanted done. I didn't suit them, so they picked another man."

Public officials probably feel their responsibility to the people most when they face an election. Thus, citizens' right to vote is the principal weapon for holding public officials responsible. (See pages 80–82.)

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The power to govern gives people the power to vote one man out of office and put another one in. But it doesn't stop with this. Along with it, **"The people have the right to reform, alter, or totally change their government by lawful means when they so desire."**

This belief is expressed in very definite language in the Declaration of Independence. Men have a right and a duty, it says, to abolish a government that ceases to get its power from the consent of the people. The authors of

the Constitution outlined the broad framework of a government that *had* to depend on the people for its power. Then they included a section that tells exactly how the people can make changes by amending the Constitution — and still keep the broad framework.

The men who wrote the Constitution were very wise in foreseeing that it might need to be changed because something important was left out, or because times and conditions would change. They were so right to provide ways by which it could be amended. Before the states would consent to the Constitution in 1788 and 1789 at all, they asked that it be modified. So the first ten amendments — the Bill of Rights — are almost as old as the Constitution itself.

Since the Constitution went into effect, only twelve more amendments have been added, a very small number considering all the changes that have come about in our country since the Government began to operate. It is not an easy matter to amend the Constitution. But this is not the real reason why we have had so few amendments. The Constitution is so well written that we have seldom needed to amend it. It permits us to change our laws to meet changing needs without amendments.

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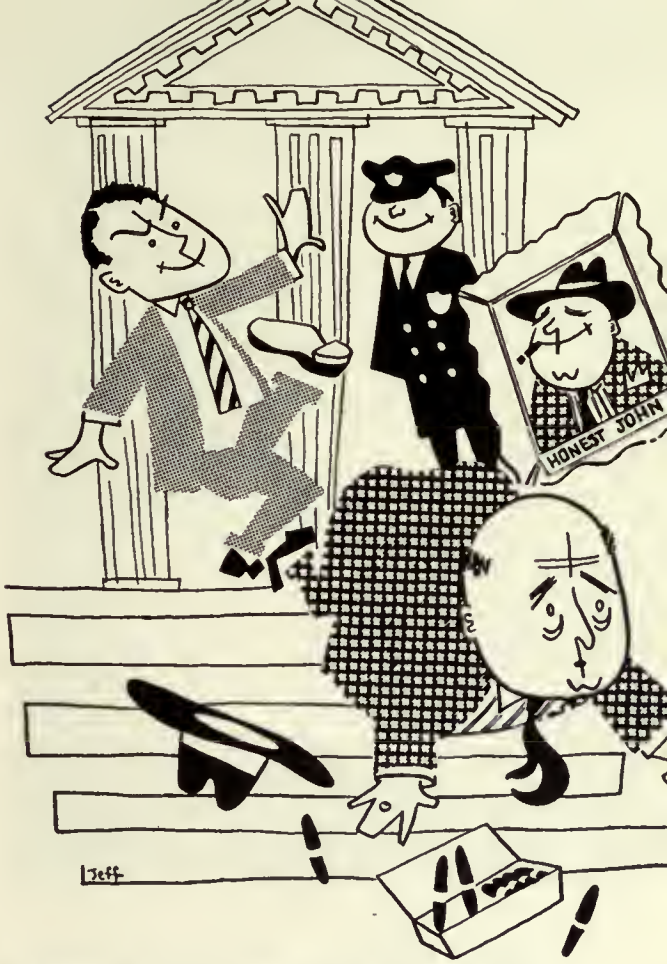
We believe that **"Government has a responsibility to promote the general welfare."** When prices get too high or too low, people can't find jobs, property is destroyed, or misfortunes strike, we say, "The government should do something." The Constitution says it can. One of the powers the Constitution gives to the lawmakers we elect to Congress is the power to raise funds to provide for the general welfare. Providing for the general welfare means providing what is best for the people as a whole.

Because the men who wrote the Constitution included general welfare as the business of government, the peo-



Forgetting that it's a little tough on the official who is being "booted," what two American political beliefs does this cartoon suggest?

Hoover Dam, built by Uncle Sam to control floods and provide water for crops and electric power, is an example of one way government assumes "responsibility to promote the general welfare."

ple today can ask their government to take on many new responsibilities that couldn't have been foreseen when the Constitution was drawn up. That document doesn't say the government shall help provide homes and hospitals, for example. It doesn't say the government shall build dams, lend businessmen money, advise farmers on how to improve their soil and mothers on how to care for their children. Yet Congress has passed laws providing for these things because it seemed to the lawmakers in Congress that the general welfare required such laws.

In a sense everything government does is to promote the well-being of the people — from collecting taxes to sending a scientist to collect plant specimens in the African jungle. But it is usually very hard for the different groups of citizens to understand this because they think first, and sometimes only, of what is good for their group.

Farmers want government to keep the prices of farm products from going below a fixed figure but not to fix a top price. Labor unions want government to allow wage increases but to prevent the rise of prices generally. Manufacturers think it's all right for government to fix the cost of labor and materials but not ceilings on manufactured goods. As buyers of food, clothing, and other goods, everybody wants government to stop inflation. And so it goes. Government, responsible for the welfare of the country as a whole, is supposed somehow to decide what is best for everybody and not too much of a hardship for any group.

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In carrying out any of its responsibilities government has to stay within limits of the law. One of the very strong political beliefs in America is that **"Government should be by law duly adopted, and not by the whim of any man."** *Duly adopted* laws, so far as the National Government is concerned, are the Constitution and its amendments,

and the laws passed by Congress. So officials — the President and members of Congress, for example — have always to keep both eyes on these limitations. They take a pledge to support the Constitution and the laws of the United States when they begin their duties.

We frequently hear expressions that show belief in government by law. "He thinks he's above the law," and "She took the law into her own hands," are examples. Other expressions are that this or that official "acted unconstitutionally" or this or that law is "unconstitutional." The Supreme Court has the final say as to whether laws or acts are constitutional or not. For example, the Supreme Court said it was *unconstitutional* when President Truman ordered the Government to take over the steel mills during a labor dispute in 1952, because the Constitution did not give the President this power.

Government by whim, personal government, is just the opposite to government by law. Occasionally all of us may be inclined to think it's all right for a certain official whom we happen to agree with to side-step the law and get something done in a hurry. But when we feel this way we are forgetting that if he can do it once, he can do it again, and again, when we won't like it at all.

Most Germans applauded Adolph Hitler when he first began to ignore their laws and made some changes they liked. Soon the whims of Hitler and his cronies ruled them completely.

If the British had governed the American Colonies according to English law, it is possible that the Revolutionary War might never have taken place. Most of the objections to the British rule which the Colonists cited in the Declaration of Independence were objections to the way the officials of King George III ignored the customs of English law when they made regulations for the Colonies.

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The idea that religion and government should not be mixed is older than our nation. At an early date our leaders arrived at the conclusion that if religion was to be kept a personal and private affair, all governments and public institutions must be prohibited from either interfering with church activities or supporting them. Churches, likewise, should not interfere with or ask support of governments. In other words, one of

Election officials for a student council election being sworn in by a member of the League of Women Voters. Real practice helps students understand the importance of government by law.

the basic political beliefs in the United States is that **"The church and the state should be separate."** This belief is generally considered "as American as Plymouth Rock." It has been looked upon as an essential part of our guarantee of religious freedom, discussed on pages 22–24.

In many countries today the government favors one religion and may actually call it the official religion. In the past this was always true. When a leader waged war and set up a government, it was taken for granted that he would make his own religion the official religion of the new state. Thus there were in Europe, Roman Catholic states, Greek Orthodox states, Mohammedan states, and — later — Protestant states. Henry VIII established the Anglican Church as the state religion of England. And Englishmen feared their Stuart kings might restore the Roman Catholic faith as England's official religion. Under Oliver Cromwell the Puritans were in the saddle. And usually the religious group in power persecuted or threatened to persecute all others.

In Britain, as this picture at the close of the crowning of Queen Elizabeth in Westminster Abbey indicates, the established Church and its head play a central role. In the United States, where church and state are separate, inauguration of a President includes prayers and the use of the Bible by the Chief Justice in giving the oath, but no particular church has prominence.

Two fairly recent Supreme Court cases will help to explain the meaning of the term, separation of church and state. In 1948 the Supreme Court was asked to decide whether it was a violation of the principle on separation for the clergymen in a community to give religious instruction to students *in the public schools* during regular school time. The Court said it was. Four years later, in another case in which students were released during school time and got their instruction *in churches rather than in public buildings,* the Court ruled that the separation principle was not violated.

Another school problem that helps explain the meaning of separation of church and state is the question of what kinds of schools should have a share in the taxes people pay for education. Should such money go to public schools only, or to all schools — those run by churches and other private groups as well as public? Some members of religious groups say *all* schools should have a share of the tax money. Some people say *only public* schools, on the grounds that giving public money to church schools would violate the sepa-

ration of church and state principle. Pupils who go to church schools, however, may share in such publicly-financed facilities as school buses and medical services.

Not all Americans believe that freedom of religion means the church and state must be kept separate. Government could help *all faiths equally,* and we would still have religious freedom, they argue. Disagreements connected with this Premise continue to crop up.

THINGS TO TALK ABOUT, AND DO

1. At what age do you think young people can begin to practice governing themselves as individuals? In groups? Name some of the things they can do to get practice.

2. We often say we have government "by the people." How would our system of government change if our fundamental political belief were changed to read, "Some men have the ability to govern themselves" instead of simply, "Men have the ability to govern themselves"?

3. Why do we not give up our belief in men's ability to govern themselves even though we may sometimes see people behave in ways that make us doubt their ability?

4. What "people" are included in our Premise "All power belongs to and comes from the people"? Look up the story of how Hitler came to power in Germany in the 1930's. Explain how he pretended to follow this Premise and then made a mockery of it. Do you think such a thing could happen in the United States? Why, or why not?

5. To whom were the public officials responsible in Germany under Hitler? To whom are they responsible in any dictatorship? To whom are they responsible in a democracy? How do we the people hold them responsible?

6. Locate the section in the Constitution that tells how it, and therefore the government it provides for, can be changed. Does it say "the people" can amend the Constitution? Find out from your local officials how the people in your city may change their city government, and whether they have ever done so. Why is it important to provide orderly ways by which people can change their government?

7. Suppose you are a representative in Congress. You have just voted for a bill requiring the National Government to have dams built to control floods and provide water for irrigation. The dams are to be located in a section of the country far away from the one you represent. How would you explain your vote to the people who sent you to Congress?

8. It is sometimes said that under a system of government by law, such as ours, it can't make too much difference whether the Republicans or the Democrats are in office. Do you think this is true? Why, or why not? Would you have a different opinion if we had no constitution or basic laws?

9. What reasons can you give for taking the stand — as our nation does — that government should support neither any special religion, nor all religions equally?

10. Is your student council so organized as to give the students opportunity to govern themselves? If so, do the students make most of the decisions about student affairs? If not, could the students arrange with the administration and teachers to set up a government that would give them more power and responsibility?

Constitutional Checks on Governmental Power

AMERICANS have always been afraid of allowing government too much power. They express this fear when they complain, as they often do, about "too much government." They know that people had little freedom in the past under the kind of government in which kings had all the power. They know that people in some countries today have little freedom because dictators have seized power. It is a "good" and understandable fear.

American citizens should be constantly watchful of too much power in the hands of a few, even though our system of government is set up to prevent this. The authors of the Constitution were very careful to include checks on governmental power.

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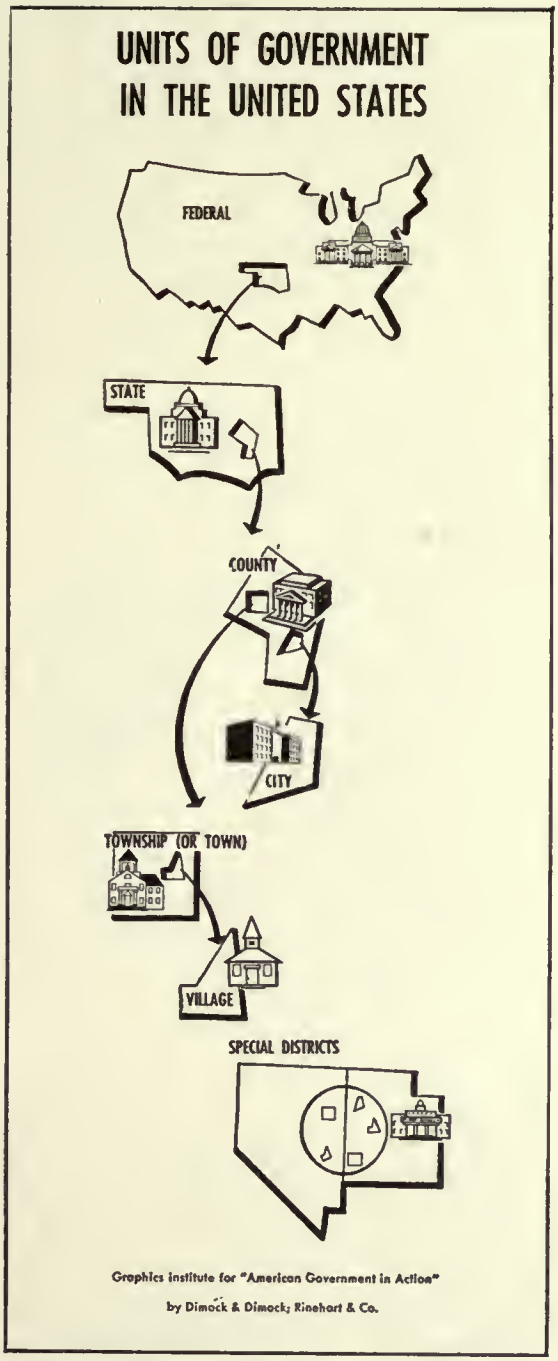
Under the American system of government the people do not entrust all their political affairs to one government. Instead, **"The powers of government are distributed among the federal, state, and local governments,"** and none of the three can seize power that constitutionally belongs to one of the others. For example, federal and state and local governments all have the power to set and

collect taxes. But state and local governments cannot make treaties with foreign nations; only our Federal Government has this power. This distribution of the powers of government is known as a *federal system.*

The national government provided by the Articles of Confederation after the American Colonies won their independence in 1783 had very little power. Each of the state governments could do almost exactly as it pleased — a thing that suited most of the people just fine for a while. But disorders, need for defense, and bickerings and jealousies among the states led some leading men in our nation to realize that we needed a national government stronger in some respects than any or all the governments in the states.

Delegates of the state governments met to see what could be done. They intended to strengthen the Articles of Confederation. After talking it over, however, they decided to scrap this weak plan of national government and write the Federal Constitution. They persuaded the states to transfer some of their powers, such as treaty-making and coining money, to the new national government they were establishing.

But the states gave up *only some* of their powers. Then, to make doubly sure that the national government wouldn't become more powerful than was intended, the Tenth Amendment was included as part of the Bill of Rights. It said that any power not given



A diagram to show the units of government that exist in our country. All of us receive services from both state and federal units, most of us from at least two of the local units. Where would your school government fit in this scheme?

to the United States Government in the Constitution belonged to the states or to the people.

The powers assigned to each of our three governments are usually those that neither of the other two could carry out well. The Federal Government has to control the issuing of money, or we would find ourselves changing from dollars issued by one state to dollars issued by another state every time we crossed over state lines, to say nothing of other complications. Postal service, commerce, business with foreign countries, and defense are among the other main jobs the Constitution gave to the Federal Government.

Our state governments are closer to most of us than the Federal Government, because they have power over those things that are close to our everyday lives. Thus we have state highway laws and auto licenses, safety laws, laws regulating business. We have state hospitals and universities, state regulations for education, state assistance for public schools and public health, and a host of other state services. The state constitutions specify the powers of each state government.

Our local government units — county, township, town, village, city — would have very little power if the state governments had not given it to them. The state governments tell the counties and townships what their powers are, either in the state constitution or other state law. Generally the states give villages and cities certain governing powers — sometimes complete "home rule" — in a *charter* or agreement that allows an area to become a city or village. Such a charter outlines how the new village or city is to be governed and the areas over which the new local government has power.

Although federal, state, and local governments have powers that are strictly their own, and in a sense compete with each other, they also cooperate in giving services to the people. For example, the Federal Government gives the state governments money for agricultural colleges and research, public health, highways, unemployment and old-age insurance. In recent years the Federal Government has given direct help to local communities that wanted to build airports, schools, public housing, and other needed improvements that cost more money than local taxes could supply.

The states, with their own money and that which they get from the Federal Government, also help the local communities. Such local services as public health and education, roads, and farm programs would all suffer if the states didn't help finance them.

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All governments in the American system follow a typical pattern. Like the distribution of powers among na-

tional, state, and local governments, this pattern is another safeguard against having any official or governing group become too powerful. According to this pattern **"The executive, legislative, and judicial branches of government are separate, each exercising its own powers."** The legislative branch has the power only to make laws; the executive branch, to carry out the laws; the judicial, to apply and interpret the laws in case of conflicts.

The Federal Constitution sets the general pattern for our government structure. All the state constitutions follow the pattern though they may vary in details. Power is divided in city and village governments, too, but there are generally more differences among local government plans than among the state constitutions.

The typical student government in high schools is similar to other governments in only some respects. Usually it places some lawmaking power in the hands of the student council, and calls for a president of the student body. This president, however, seldom has the power to carry out the laws, or any student police force to help him do it.

School governments often lack a judicial branch altogether and depend on the teachers or school administrators to act as judges and law enforcement officers. Perhaps this has to be so, though it makes the student government less real than it could otherwise be. Although teachers and administrators can delegate certain powers to a student government, they are limited in this because the education laws of the states make them responsible for the students' welfare. But, modeling the school government as nearly as possible after the national, state, or local government can be an excellent way for high school students to understand the governments in

This cartoon of a former President and Congress clashing over policy symbolizes the separation of powers that exists between the executive and legislative branches of our government and the struggle for supremacy that frequently goes on.

which they will have an active part when they become adults.

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The old American fear of too much power in the hands of a few shows up in the way the authors of the Constitution provided for each government branch to work. The Constitution gives specific powers to Congress, specific powers to the President, and specific powers to the courts. But **"These powers are so granted that certain powers of each branch act as checks on those of the other two branches."** This Premise provides the basis for our scheme of *checks and balances* in government.

The President, in exercising his power to veto bills, acts as a check on Congress. Congress, in exercising its power to pass a law over the President's veto, acts as a check on the President. The Supreme Court, in exercising its power to decide whether a law is constitutional, acts as a check on both the President and Congress. And both Congress and the President have an indirect check on the Supreme Court because the President appoints its members with the consent of the Senate, the upper house of Congress.

A good example of one way our constitutional checks and balances work is the story of how we got a law requiring us to pay an individual federal tax on middle and high incomes, so that Uncle Sam would have money to provide more services for the nation as a whole. Here's what happened.

Congress passed a bill which included provision for the income tax in 1893. When the bill came to the President for his signature, he vetoed it. But Congress, by the two-thirds majority of both houses required, repassed the bill and it became law. Then a citizen challenged the right of the Government to tax individual incomes, and the case went to the Supreme Court. The Court ruled that the Constitution did not give Congress the power to enact this law. Hence the law was unconstitutional and dead.

To complete the story, it was twenty years later, after the Sixteenth Amendment gave Congress the power, that we got a *constitutional* law taxing individual incomes. The last episode in the income tax story might serve as an example of how the will of the people may check and balance a decision of the Supreme Court.

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Dictators and kings in many countries, past and present, have built up military forces to help them get and maintain power over their people. For this reason, freedom-loving people have always tended to associate the very existence of large armies with tyranny, except when raised specifically for defense. And so certain checks were put in our Constitution to prevent any

official or branch of the government from getting complete control of military forces.

In the United States, **"The military forces are under civilian control of the executive branch and dependent upon the legislature for appropriations and manpower."**

The Constitution makes the President Commander-in-chief of the military forces. He can recommend that these forces be of any size he thinks necessary for our national defense. He can ask that Congress declare war. But Congress must pass the laws to recruit military forces, and appropriate money to equip them. Only Congress can actually declare war. Thus the people, through their elected representatives, hold the keys (men and money) to military power.

The Premise on civilian control of military forces is rooted, like many of our Premises, in English history and in the Colonists' experiences with the British government before and during the Revolution. Parliament, the "English Congress," struggled with kings for centuries over the power to tax, which was also power to control the country's military forces. For as long as a king could set taxes as he chose, he could use the money to keep a big army if he chose. And against a king with a big army at his beck and call, the people could do

Maybe the kings of another day, under a different system, could play chess with their armies, but no such sport for the head of our Government! The Constitution so divides the military powers of our President and the Congress that each acts as a check on the other, and neither is "king."

"Hold on," says Citizen B to Citizen A, enraged ot an irresponsible officeholder. "He'll come up for re-election soon, and we'll get him then."

nothing, no matter how much their freedoms were threatened.

Parliament won the "power to tax" war — and hence some control over "the King's army." But the Colonists were not represented in Parliament. They objected as violently as Englishmen ever had when, following the French and Indian Wars, they were asked to pay extra taxes to support soldiers that the mother country sent over. The Colonists didn't like the Sugar Act, the Quartering Act, the Stamp Act. They liked even less the British soldiers attempting to enforce these and other regulations. It is not surprising, therefore, that the authors of the Constitution, remembering the Colonists' experiences with military forces they could not control, were careful to include provision for civilian control of military forces in our basic law.

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The power of most American government officials is restricted by regulations limiting their terms of office. Most of them get their office by election, and **"The terms of elective officers expire at regular times fixed by law; re-election to office, when permitted, is left to the discretion of the voters."**

The Constitution fixed the President's term of office at four years but said nothing about how many terms he could serve. Because George Washington refused to consider nomination for a third term, "two terms only" became a tradition that all Presidents, down to Franklin D. Roosevelt, followed.

Threat of World War II permitted the break with tradition and the re-election of President Roosevelt for a third term in 1940. "Finishing the war" brought about his re-election for a fourth term in 1944. The tradition against "too long in office" still held, however. Soon after the war an amendment to the Constitution was proposed, limiting the terms of future Presidents. It became law in 1951. According to this amendment — the Twenty-second — "No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once."

The constitutions of thirteen states contain provisions that prevent a governor from "succeeding himself," and four states restrict their governors to two terms. Mayors of cities may usually run for office over and over again, and the members of city councils, state legisla-

tures, and Congress often serve many, many terms. They do this, however, only if the voters re-elect them every two, four, or six years — however often the law requires.

Officials who abuse their power may not have the privilege of serving out their terms. The Constitution provides that Congress may bring charges against — that is, *impeach* — a President, Vice-president, or Supreme Court justice for working against the public interest. Some officials have been thrown out of office and imprisoned as a result of investigations by Congress. A few states make it possible to get rid of officeholders before their terms expire by a system of *recall*. Dissatisfied citizens may circulate a petition asking for an election in which the voters indicate whether they wish the official "under fire" recalled or allowed to finish his term.

As long as our laws remain in force and the voters are alert, government officials with dangerous ambitions for power can be brought into line.

THINGS TO TALK ABOUT, AND DO

1. Read accounts in your history text or other books about the arguments that took place at the Constitutional Convention when the framework for our Government was drawn up.

2. Look up the Tenth Amendment to the Constitution. Why do you think it was included in the first ten amendments?

3. Appoint a committee to make a chart in three columns showing the principal powers of each of our three levels of government — national, state, and local. The committee should refer to one or more civics texts, the Federal Constitution, and the constitution for your state. It should also consult with local government officials.

4. Obtain the March of Time film *Your Government* from your nearest film library. As the film is being shown, look for evidence of the Premise on the "separation of powers" among the three branches in American government. Watch also how the three branches check each other as each carries out the duties the Constitution assigns to it.

The following three filmstrips, obtainable in the same way as the above film, will also help you understand how the "separation of powers" and the scheme of "checks and balances" work in our National Government: *The President: Office and Powers; Congress: Organization and Procedure;* and *Federal Courts and Law Enforcement.*

5. Select one member of the group to report on how the Premises on "separation of powers" and "checks and balances" are provided for in your state government. Ask a local official to talk to your group on the extent to which the local government operates on the two Premises.

6. Look up the word *civilian* and explain why we say our military forces are "under civilian control."

7. Review the five constitutional checks on governmental power, locating the exact statements in the Constitution or its amendments on which these Premises are based. Remember you can also find statements to back up some of the five checks in your state constitution.

The Right to Influence Government

"THE POLITICIANS control everything, and the people are helpless." "Sure, everybody knows the law ought to be changed, but we can't do anything about it." "The men in Washington run things to suit themselves."

All of us have heard comments like the above, and some of us have made them. Yet if we stop to think, we know that government officials cannot really ride roughshod over any one group indefinitely. We have some rights we can exercise to "make government listen."

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American citizens may influence their government through their vote. They have **"The right to select representatives in government in frequent, certain, and regular elections."** It is largely by choosing officials to represent them in government that people exercise their power of government, discussed on pages 65–66.

The words *frequent, certain,* and *regular* are very important to this Premise. If elections are not held often enough, incapable representatives may have time to do great damage before the voters have a chance to throw them out. If elections aren't certain and regular, officials with ambitions of dictatorship may postpone voting until they have the power securely in their hands, and then an election is worthless. This

was the kind of elections Hitler and Mussolini held, and the voters voted *yes* to whatever the dictators wanted because they didn't dare do otherwise. Elections are worth holding only if they give people a chance to choose freely among candidates and issues.

The Constitution left the matter of voting qualifications up to each state. But it says that a state must allow anybody to vote in national elections whom it allows to vote for members of the lower house of the state legislature. Later the National Government set up other regulations for voting which the states have to meet. The Fifteenth Amendment, passed in 1870, says that a state cannot bar a citizen from voting because of "race, color, or previous condition of servitude." The Nineteenth Amendment, passed in 1920, extends the voting privilege to women.

Because nearly all citizens can vote, the expression, "consent of the governed," rings much truer today than when the young nation started out to prove that people can govern themselves. Old regulations that required men to own property or belong to a certain religious body or church group before they could vote have been changed. Laws that prevented Chinese, Japanese, and other Asiatic immigrants from becoming citizens and hence from voting have been replaced by new laws.

In short, each state sets up its own voting requirements, in keeping with the Federal Constitution and the two amendments. Therefore the requirements differ from state to state. But a sane, law-abiding, adult citizen who has the required length of residence in his state and community can usually have a voice in selecting his representatives

Illustrating a step in the selection of the "first" public official in America — the Democratic convention where delegates from all the states and territories chose their candidate for President in 1952.

The life of each of these men illustrates our belief in the right — and sometimes, the responsibility — of every citizen to run for public office. Adlai Stevenson left his law practice to become governor of his state. Paul Douglas swapped a comfortable position as university professor for the more demanding and less permanent office of United States Senator. Here, in 1948, they discuss election issues.

in government. Nineteen states also require the citizen to pass a test of some kind proving his ability to read and write, and none of the states allow criminals to vote.

Our claim to being a nation with voting privilege for all — universal suffrage — is almost true. Six states still require citizens to pay a poll tax or fee for the privilege of voting. This discourages some otherwise eligible voters. Because of a federal regulation legal residents of the District of Columbia cannot vote. Lack of any provision for absentee voting by some of the states also deprives some people of their voting privilege — for example, students away at college or university during election time. We are approaching closer and closer the time when all our people may influence their government by voting.

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American citizens may influence their government through **"The right to run for public office."** Suppose, for example, a citizen would like to see cer-

tain changes made in national, state, or local laws. He may decide that the best way to help bring about these changes is the do-it-yourself method; so he tries to be elected to office.

In a way the right to run for public office means much the same thing as the old American saying, "Anybody can be President." The important point is that public officials in America are not selected from any special group in the population. There is no governing class or party. The garage mechanic, the college professor, the banker, the druggist, a Democrat, Republican, or Independent can be mayor of the town.

To be sure, the right to run for any public office is a long way from holding the office. Whoever wants a public position has to have supporters. He has to get nominated and, later, to get elected. But all office seekers have an equal right to try to get supporters, and the right to try repeatedly if they aren't successful the first time.

The Constitution says that a person's religion can't bar him from seeking any public office in the United States. It requires that persons running for Congress shall have reached a certain age, lived so long in the state, and be citizens — either native-born or naturalized. These are the usual qualifications for most officials in state and local government, too. Candidates for President of the United States, however, have to meet a special qualification. They have to be native-born citizens.

Two ways in which citizens may influence government are more easily understood if they are discussed together. They are **"The freedom of assembly"** and **"The right to petition government,"** or freedom to hold meetings and the right to ask government officials to act or not act a certain way on a public question. Both of these rights are guaranteed in the First Amendment, along with freedom of religion, speech, and the press.

A simple illustration will show how these two Premises go together.

Suppose that a town has been given a piece of property to develop for public recreation. Just what kind — baseball, swimming, indoor activities — is up to the town council to decide. But the citizens who will use the facilities have ideas, too. Some of them prefer building a good baseball diamond with bleachers, some want an outdoor swimming pool, some think provision for indoor activities would serve more people, some have still other ideas. What can the citizens do?

Since any citizen has the right to petition — to tell the town officials what he would like to see done — any individual may call, visit, or write the city hall. But certain citizens, in order to make their petition carry more weight, may decide to call meetings and persuade other townspeople to join them in asking the city council to consider their choice. Freedom of assembly makes it possible for them to do this.

An illustration of hoping to influence government indirectly through influencing public opinion. The picture also illustrates the right of freedom of assembly. Otherwise, how was the parade planned?

Some states have laws setting up a special method, called *initiative,* by which people can influence their government. In these states, if a certain number of voters sign a petition that asks their state legislature to make a change in a certain law, the legislature has to consider the request.

It is easy to see that without the right to petition, and without the freedom to meet and make plans for group action, the people of any community would be less able to influence their government.

As it is, many of our laws come directly from the requests of citizens. Some person or group gets an idea which is passed on to a member of the legislature, and the legislator proposes a bill which becomes law. Of course, in the same way many bills are killed, too. People can get together and urge their congressmen, President, or other official to reject something that another group is asking for.

Government officials have to be careful not to let the requests of special groups of citizens over-influence them. Many organizations in the country have paid experts or lobbyists to keep a close watch on what goes on in Washington, D. C., in state capitols, and in city halls. It is the lobbyist's business to try to influence government officials to pass bills that favor the organization the lobbyist works for.

The strongest lobbies are those that represent veterans, business organizations, labor unions, and farm groups. But there are dozens of other organizations — educator, church, peace, and welfare organizations — that may engage a lobbyist to look after their inter-

ests when they know that legislation affecting them is being considered. The common name for any group that organizes to influence government action is *pressure group.*

Pressure groups are very important to democratic government. They may be formed to work on the local and state levels as well as the national. By starting or belonging to a pressure group, people let their representatives in government know where they stand on public questions, or what *they* want done about a particular issue.

THINGS TO TALK ABOUT, AND DO

1. Look back over this section and name four ways American citizens may influence their government. Find the statements in the Constitution and the Bill of Rights that guarantee us the right to influence government in each of these ways.

2. Appoint a committee to find out from your local election officials the qualifications for voting in your community. Have the committee report to the group as a panel, discussing such questions as the following: Does your state permit absentee voting? Is the voter required to register before each election? Should any changes be made in the law so that people not now qualified to vote would be qualified? For example, may a citizen who has moved into your state from another part of the country just before election day vote in a national election? Should he have this right?

3. How do you feel about amending the Constitution so that eighteen-year-olds may vote? Ask your librarian to help you locate some of the magazine articles that have been written about this proposal so that you may read and discuss what others have to say about it.

4. How does a citizen who wants to run for office in your local government go about getting his name on the ballot? Ask a local official familiar with election laws to talk to your group on the subject. Consider this question: Do the laws make it reasonably easy or very difficult for the ordinary citizen to run for public office?

5. Why is citizens' freedom of assembly, or freedom to meet with other citizens, an important part of their right to influence government?

6. How may a single individual petition government? How may a group of individuals petition? What is the advantage of petitioning as an individual? As a member of a group?

7. Do you think petitioning by a group of students a good way to start a movement for some change or improvement in a school? Why, or why not? If your answer is yes, select some change you believe should be brought about and "petition" the proper authorities about it.

8. Freedom to assemble and freedom to petition government usually involve the use of three other freedoms discussed in an earlier section. What are they, and how are they involved?

9. To many people, the term *pressure group* has come to mean something not quite democratic even though pressure groups are important to democratic government. Can you see any reason why some people feel this way? What would you want to know about a group attempting to use pressure on authorities before you would associate yourself with it?

Political Responsibilities

It is a year-in, year-out job to be a good citizen in a country where all the people have a share in governing. No sooner do we say, "Everybody has the right," than we follow with "Everybody has the responsibility." What is really important is that if we ignore our responsibilities our rights disappear, and a few ambitious "strong men" begin making the laws to suit themselves. While the people are "asleep at the switch," their freedoms disappear.

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What political responsibilities do citizens have in return for their political rights? One, perhaps the fundamental one, is to *know some facts.* In any democracy, **"The people have the responsibility to keep informed about public problems and the action taken on them by those in public office."**

Public problems in the local community concern such matters as schools, parking and traffic regulations, recreation, sanitation, fire and police protection, and the water supply. Are these services satisfactory? Are the taxes the people pay for their maintenance wisely spent? How much is allotted for these services, and is it enough? What action is taken when citizens report traffic violations and uncollected garbage?

It is the citizen's responsibility to know the answers to questions like

these, unless he is willing to take the consequences of letting other people decide how his tax dollar will be spent and what services he shall have.

Going farther from home, the citizen also needs to know the major issues that are being handled "up at the state house." How did his representative vote on the bill to increase state aid for education? What were the governor's reasons for vetoing the rent control bill? Improvements in state mental hospitals, let us say, is a number one problem, and bills have been proposed to deal with it. What happened to this legislation? Some of the officials who decide these and similar issues may be running for reelection. The citizen is responsible for finding out all he can about their records in office.

Add national and international issues to those that concern the community and state, and the individual's job of keeping informed becomes a very big one. It means reading several newspapers and magazines, following a variety of news and discussion programs on the radio and television. It should include reading books and talking with people of different political viewpoints. Then, as we so often say, each person can make up his own mind.

The informed person has to learn to separate facts and opinions and judge the merits of each, as well as take time to read and listen and talk with people. But he who wants the right of self-government cannot afford to slight these responsibilities. Making it possible for people to be informed is the purpose of freedom of speech and freedom of the press.

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A most important political responsibility of citizens in a democracy is to **"Vote at each election."** This is one of the ways of keeping government officials responsible to the people, which is discussed on page 66. It is a means of bringing about change in a peaceful, democratic way. In countries ruled by dictators the people have to start, or threaten to start, a revolution to bring about a change of officials.

High school students familiarizing themselves with a voting machine which they obtained from local officials and which they will use in their own election of officials for student council.

The person who stays home or "goes fishing" on election day may help put men in office or keep them out just as surely as if he went to the polls. But the person who does this has no right to complain about the men in office if he has not even bothered to express a preference. Of course, just getting to the polls and marking a ballot is by no means meeting the voting responsibility. Getting others to vote, and taking an active part in politics to get the best candidates nominated, are part of the responsibility, too.

A person's vote is a powerful thing. With it he is helping determine not just his own welfare but that of perhaps thousands or millions of other people. "Vote as you please, but vote" is a slogan often heard at election time. Another to go along with it might be "Vote and know what you're voting for." The reason why people should keep informed about public problems and the action of public officials is to help them vote intelligently. The two responsibilities go together.

How often a citizen should vote depends to a big extent on what state and community he happens to live in, for each state has its own election laws.

All citizens can expect occasional special elections — perhaps to decide whether a new school shall be built, or to fill a vacancy caused by the death of an official. Every two years there are elections in which representatives to both the state and national lawmaking bodies are chosen. Every fourth year is a presidential election year. At the same time, some congressmen, governors of states, and other state officials are always selected. In between regular elections are the primaries, some to choose candidates for state and local offices, some to choose delegates to the national conventions for nominating presidential candidates.

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Sometimes it becomes the citizen's political responsibility to be the representative in government rather than the represented. A citizen should not be "too busy" or too interested in his own affairs to **"Accept public office when public interest requires it."**

One man who served in public office thinks that at this very time we need "Universal Public Service." He thinks good citizenship is something more than "keeping informed on public questions by reading and listening to the radio and attending forums, remembering to vote, and never neglecting to put the wastepaper neatly at the curb during Clean-Up-Your-Town Week." This former official thinks our ablest citizens should be in public office, and that the responsibility for serving should be rotated. He would have people plan to take time out from their private careers and take a turn in the legislative and executive branches of the local, state, or federal government.

We have many able men and women in public office, but we also have many able citizens who either do not think of government work as their responsibility, or who hesitate to accept a government job for reasons that seem good to them. For example, some feel they cannot afford to take a position that pays less than they can earn in the business world. Some have grown up with the impression — a wrong one — that politics is for "the politician," and something they don't quite want to get mixed up in. Others object to taking the kind of criticism that irresponsible citizens often heap on people who hold public office.

These are *understandable* reasons for not accepting public office. But we would have few able officials if all people put personal desires ahead of responsibility to the public interest. At the same time, if we as a people expect our ablest citizens to accept public office, we have a responsibility for seeing that they receive reasonable pay and respect in return.

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Citizens are responsible at all times for helping public officials know what they want done about public issues. They have an obligation to **"Voice opinions and demands directly to representatives in government."** This citizen responsibility goes along with the right

These high school students, having taken the responsibility for drawing up and winning support for an anti-smoking ordinance, are appearing before the city council to request its passage. It passed. This is an example of what citizens can do by voicing demands directly to their public officials.

Citizens "serve as the government may direct" by helping members of the National Guard erect a tent city to house victims of a flood.

to petition government, guaranteed in the First Amendment.

Citizens voice their opinions in a general way when they vote for certain officials on election day. The candidates or their party platforms tell the people what the various candidates' stands will be on big issues. When they select their representatives, the people are in a sense saying to the candidates, "This is what we want." In some states, at election time, lawmakers may submit proposed state laws for the voters to accept or reject. This procedure is called *referendum,* from the Latin word meaning "refer," or "pass on."

Many specific issues come up on which officials need to know the people's opinions *between* elections. For example, if three different bills on public housing have been proposed, a congressman may profit from knowing what the folks back home think of the three. If people in a community want a new zoning law to keep filling stations and hot dog stands out of certain sections of the town, they can write a letter of protest or telephone a member of their council expressing their views.

All citizens must recognize that an official cannot carry out every individual or group demand that comes to him. He has to weigh one request against another, and all requests against the special knowledge he has because of his position. But the opinions of all groups can help him reach a decision that is fairer to everyone. Voicing opinions *directly* and *at the time* is much more effective than grousing and doing nothing, and then charging officials with poor government when election time rolls around.

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The responsible citizen should be ready to carry out his government's requests without question if the occasion demands it. He should, **"In time of public emergency, serve as the government may direct."** A public emergency is a situation in which the lives or the welfare of the whole community or group is threatened. In the school a fire or air-raid drill is preparation for a possible public emergency.

When a city or area is threatened by floods such as the people in the Missouri Valley have experienced, when an earthquake, tornado, or other disaster strikes, the government often declares *a state of martial law.* This means that

state or national military forces are in charge, and all persons in the area are responsible for doing exactly what these forces order. Able-bodied citizens are expected to serve in whatever capacity the authorities decide. Some may serve by taking victims of the disaster into their homes, some as rescue workers, some as re-builders. All are subject temporarily — as long as the emergency lasts — to special government orders.

Wartime increases every citizen's responsibility to serve the nation in whatever way the Federal Government, which is responsible for directing the national effort, requires. Our Government has never actually forced *all* citizens to serve. If it did, every adult would be drafted for some duty, just as men are now drafted for military service. In past wars government has concentrated mainly on making sure that enough men served in the armed forces, and that war production didn't suffer.

In the second year of World War I idle men and men in jobs that were not essential to winning the war were persuaded to serve by a government "work or fight" order. In World War II the President issued a "job freeze" order which kept persons from leaving one job for another without official permission. Before the war ended, bills for national service — compulsory service by all citizens — had been proposed. Back of each of these proposals was the idea that a nation fighting for its existence should make no difference between men fighting on the battlefront and other citizens working at home. As far as possible, all should sacrifice equally.

Many people objected to a national service act on the grounds that it is undemocratic and, furthermore, unnecessary. "See what we have done without being forced," they said. At any rate the war was over before the proposed bills were acted upon. Should the United States become involved in another war of any size or duration, however, the issue is likely to come up again. Then it will be necessary to reconsider whether the government should tell *all* citizens exactly how and where they can best serve the nation.

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For all normal times, and to a very big extent even in emergencies, there are "right" ways of getting things done in a free country. These ways are based on the belief that every human being is important and should be respected by every other human being. They are summarized in the following Premise: **"Use democratic methods to achieve group agreement — conference, debate, compromise — and abide by the will of the majority; the majority should respect the rights and opinions of the minority."**

This Premise may be put into practice in almost any situation that involves a group of people in doing something — in the school, for example. One way

to arrange the graduation exercises, say, is for the senior class president, faculty adviser, and principal to make all the plans — from ordering the invitations and selecting a speaker to arranging the seating and deciding whether the boys shall wear white or dark trousers.

Another way is for the class president to call a class meeting, ask all the members to discuss what kind of a program they would like, and appoint a committee to work out the details with the adviser and principal.

In the process of planning their own graduation along the lines last described, the students have a chance to use democratic methods. Every class member can make suggestions. The students can discuss what they like about one graduation procedure as opposed to another. Some of them must undoubtedly compromise — give up part of what they want in order to get other things they want more. Finally — and it may take a long time — the majority will agree on some plans. Then, even the minority, which may still have other preferences, should agree to go along.

Majority rule is not democratic *unless* the majority respects the rights and opinions of the minority. After an election the party that wins has a right to expect members of all the losing parties to abide by the decision. It cannot, however, keep members of the losing parties from continuing to say how *they* think the government should be run, and to criticize the way the party in power is running it.

As long as democratic methods of reaching agreement are followed and the majority doesn't bottle up criticism, minorities can hope that some of their ideas may later be adopted. In fact, over a period of time, one minority may grow and combine with other minorities, and outvote the existing majority. So a new majority is born. This happens continuously in a lively, healthy democracy.

According to this cartoon, these citizens have momentarily forgotten the Premise, "Consider the common good before group and class loyalties."

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In a farewell speech which George Washington made in 1796 announcing that he would not run for a third term,

he gave Americans several bits of advice. Among other things, he urged them to give their love and loyalty *first* to their nation, second to their state or section of the country.

Any advice of Washington, like that of Jefferson and many of the other Founding Fathers, has become almost as much a part of the American tradition as if it were in the law of the land. What he had to say about loyalty in his farewell speech backs up a Premise of democracy, **"Consider the common good before group and class loyalties."** Americans still have a responsibility for remembering Washington's advice in their political activities, and for seeing that their officials observe it.

If the nation had not been considered ahead of other loyalties, the United States might have become several nations instead of one. President Jackson warned the South Carolinians in 1832 that the nation had to come first when they refused to abide by a tariff law passed by Congress, and threatened to secede from the Union.

The whole story of this controversy and how it was patched up is described under the topic "Nullification" in American history books.

There are still many examples of failure to live up to the ideal of placing the common good ahead of all other loyalties. For example, it would be to our advantage as a nation to buy more cheese from such countries as Denmark, Switzerland, and Holland so that they could buy more products from the United States. American cheese producers, however, who understandably want to keep a good market for their own product, want a high tariff on imported cheeses. This means that foreign countries can't successfully sell their cheese here and consequently have fewer dollars with which to buy other products from us.

Sectional and group interests are not necessarily "bad." They are to be expected, in fact could not be avoided in a big country with as many different people as ours. Only a dictatorship would want all citizens to have exactly the same loyalties and interests. But when any group says "Me first," with no thought for what happens to the rest of the nation, it has to be reminded, even forced, to remember that the first loyalty is to the common good — the nation.

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Government is "by law" in America, and it is the political responsibility of citizens to **"Obey the law and use only lawful means to correct injustices."** For example, the law says that everyone making a certain amount of money shall pay a federal income tax. This law results in some injustices to taxpayers in spite of attempts to equalize the tax responsibility. The citizen who knows that he is paying a disproportionate tax, however, cannot correct the injustice by simply refusing to obey the law.

A horrible and extreme example of disobedience to the law, or refusal to depend on lawful means to correct what *they think* is an injustice — a lynch mob attempting to break into a jail and mete out punishment to a prisoner without waiting for a trial and the verdict of the court.

Since laws are made by men, few if any of them are perfect. When a citizen feels that a law is inadequate or unjust, he may work with government officials and other citizens to get it repealed or amended in an open, lawful way. Meanwhile he is responsible for obeying it as long as it is on the books.

Thomas Jefferson, writing in a letter to a friend in 1810, put one duty of the good citizen above obeying the law. When one had to choose between immediate national safety and observing the law, he felt that first things should come first. He wrote:

> *When, in the battle of Germantown, General Washington's army was annoyed from Chew's house, he did not hesitate to plant his cannon against it, although the property of a citizen. When he besieged Yorktown, he leveled the suburbs, feeling that the laws of property must be postponed to the safety of the nation. While the army was before York, the Governor of Virginia took horses, carriages, provisions, and even men by force to enable that army to stay together till it could master the public enemy; and he was justified.*

A ship in distress at sea, Jefferson said, was justified in *forcing* another ship abundantly supplied with food to share its provisions. Normally, when human life wasn't at stake, this would be unlawful.

Neither safety nor the protection of lives, however, are the reasons why as many laws are broken as are. Why

otherwise good citizens disobey laws which their own representatives have passed for everybody's welfare is a hard question to answer. What to do about this problem is even harder.

Some people say we would have fewer lawbreakers if children were taught strict obedience, and always punished for disobedience. Others say this isn't enough in a democracy. They argue that people must participate more in public affairs. They point out, for example, that students are less likely to break school laws they help make. What do you think?

THINGS TO TALK ABOUT, AND DO

1. If we believe that people should keep informed about public problems and what their officials are doing about them, why must we also believe in freedom of speech and freedom of the press?

2. What suggestions can you make to the citizen who says, "I haven't time to keep up with all the issues an intelligent voter should know about"?

3. Find out what proportion of the eligible voters in your community voted in the last election for city officials, what proportion voted in the last presidential election. Organize and carry out a get-out-the-vote campaign for the next election in your community. Consider working with some local organization in this campaign.

4. A few countries make voting compulsory. Do you think this a good idea? Why, or why not?

5. Someone has said, "He who doesn't vote gets voted." What does this expression mean, and do you think it is true?

6. Discuss the meaning of the term *public interest.*

7. Make a list of the public positions that must be filled in your community. How many are elective? How many appointive? How many are "political"? Are they positions that require skills or training? Which ones would you find interesting?

8. Discuss the reasons why you, as an adult, might or might not like to serve as a representative in your state legislature, or as a member of Congress.

9. To put one of the Premises dealing with political responsibility to immediate use, select an issue that is up for consideration in your state legislature or Congress. Discuss pros and cons of the issue and write your representatives voicing your opinions as to what should be done about it. You may send individual letters or one letter for the group.

10. Some people say it is unfair for able-bodied men to be drafted to fight during a war, while much of the population makes no sacrifices and some people even profit by a wartime situation. Do you think it would be better if the Government told every person exactly where and how he is to serve his country just as it tells the fighting men? Why, or why not?

11. Appoint a committee to present a skit showing how members of a group that is divided on some question compromise their differences.

12. When a question has been decided democratically, is it undemocratic for the minority to refuse to go along with the majority? Why, or why not? In the same case, is it undemocratic if the minority continues to be critical of what the majority is doing? Why, or why not?

13. Why is it necessary for a group to consider the common good before it makes a decision or takes action? Why, in your opinion, do members of groups so often find it hard not to think solely of what is "good for our group" and forget what is good for everybody else?

14. Suppose that as a citizen in a town or a member of an organization you feel that a regulation which the town or the organization has set up is unjust. Discuss what you might do to get the injustice corrected or the regulation removed.

15. Write a summary of the political responsibilities of a citizen in a democracy. Decide as a group how long the summary should be.

The Free Economy

In this book the word economy is used to mean the way people use resources to make a living. Our kind of economy—the Free Economy—has grown up as the system naturally in keeping with our belief in the Free Individual and the Free Government.

Thirty-one Premises will be discussed under the Free Economy.

Nine Premises deal with economic goals. The nearer we come to reaching these goals, the higher our standard of living.

Four Premises review the basic laws that have enabled our free economy to develop.

Four Premises discuss a cornerstone of economic freedom—the individual's right to own property, to use it to make a profit, and to leave it to whomever he chooses when he dies.

Twelve Premises deal with economic privileges. As a result of these privileges some people start their own businesses, some work for others as free men and women, and both business and labor groups form organizations.

Two Premises discuss the obligations of business and labor groups to use their power with consideration for the general welfare.

Basic Economic Goals

THE AMERICAN ECONOMY — the way we produce, buy, sell, and use goods — is known as a "free economy." It often goes by the name, *individual enterprise system.* Each person may own property, start a business and run it, get a job, and make a profit or go broke from his efforts. Government can help and set up such rules to guide the economy as the Constitution and our laws provide. But under our system, neither federal nor state nor local government can have absolute control over either the owners of business enterprises or the workers in their jobs.

In our free economy it has been possible for the average American to have more material comforts and conveniences — a great variety of foods, houses with central heating, automobiles, telephones, labor-saving devices — than the average citizen in any other country. To say it more specifically, Americans are about one-twelfth of the world's people, but we make and use more than one-third of all the goods and services the entire world produces.

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Good as the fruits of the American economy are, there is still room for improvement, still new goals to be reached. One of these goals shared by industrial and business leaders, laborers, consumers — all the people — is **"An increasing**

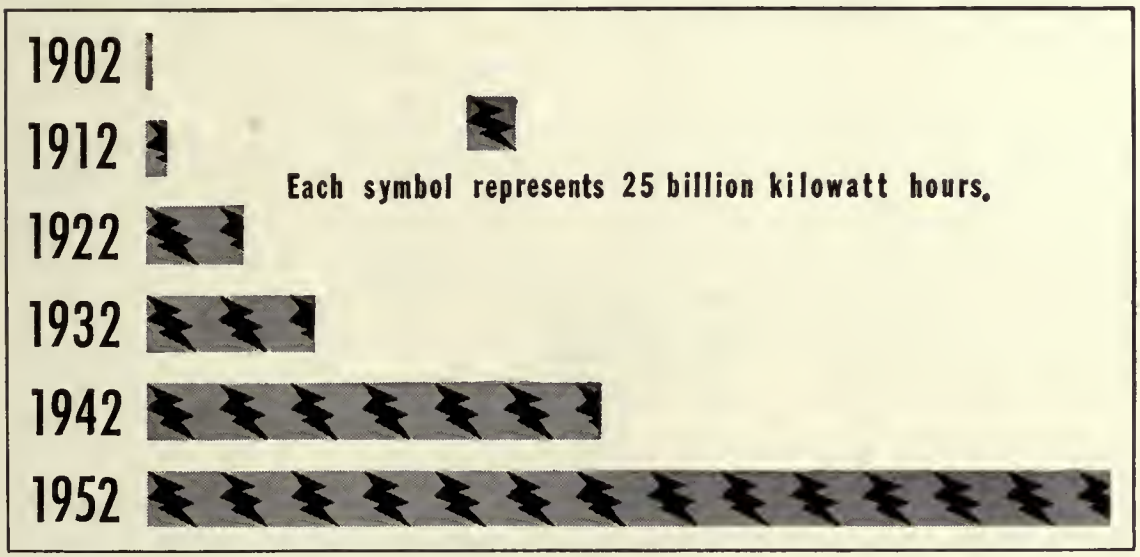
national productivity, made possible by technological development, that will lower the cost of goods and raise the standard of living." This goal is one of the planks both major political parties put into their platforms.

Increasing productivity means stepping up the amount of anything a worker can produce in a given time — his rate of output. If each worker can have more to show for an hour's work, then the nation's total production will surely increase, unless working hours are reduced.

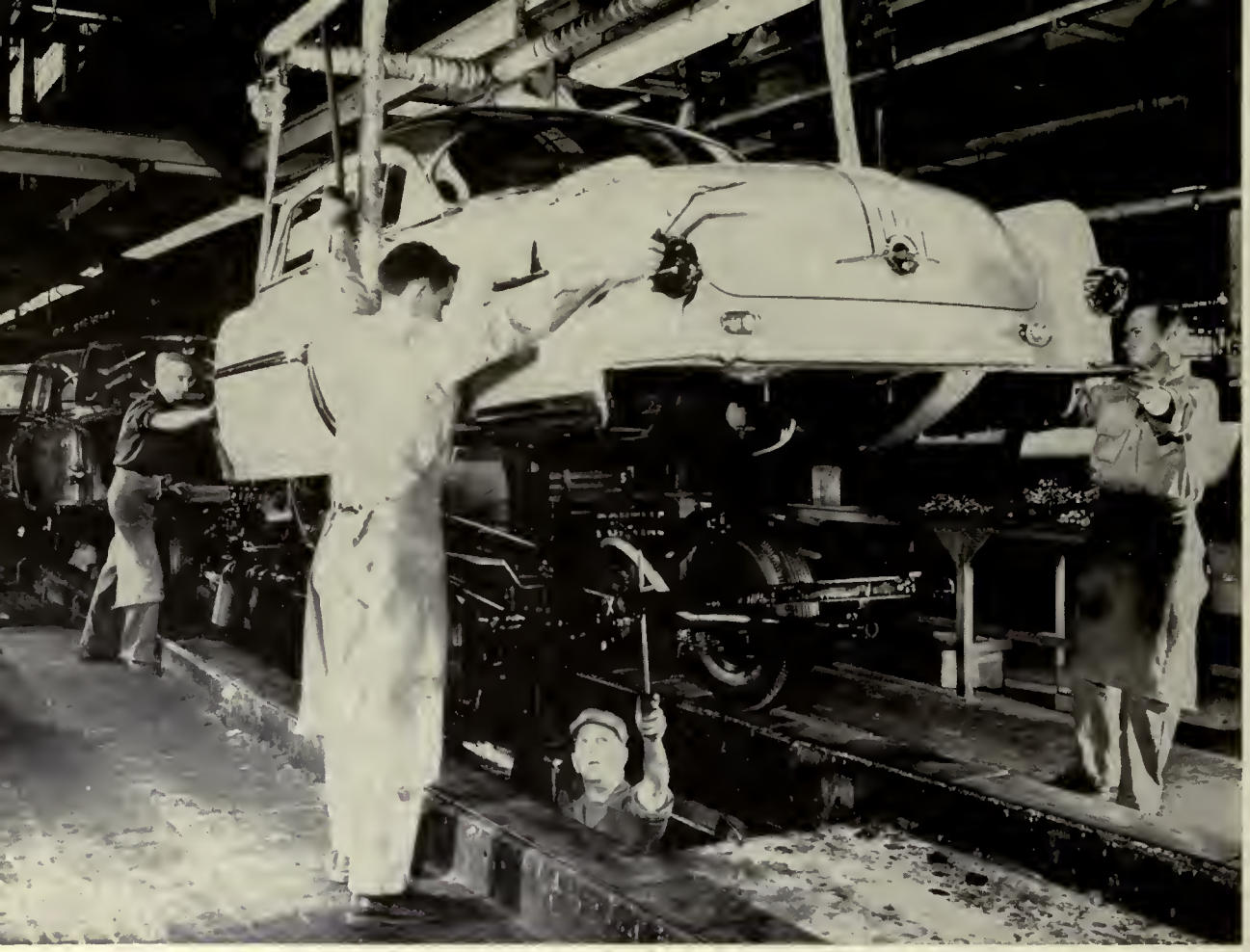
Productivity has increased steadily in America since the middle 1800's. An average industrial worker in America today produces more than five times as much in an hour as a worker did a hundred years ago. This increase is explained by the phrase *technological development*. Technological development includes such things as the use of scientific discoveries, more and more work done by machines run by electric power, and assembly-line methods of manufacturing.

Technological development makes mass production possible, and mass production, at least within broad limits, means lower production costs. The reason why so many Americans can afford a refrigerator, for example, is because refrigerators are turned out as exact duplicates, largely on electrically-operated machines, by the hundreds of thousands. In America it is the handmade or custom-made article that is costly.

YEARLY CONSUMPTION OF ELECTRICITY



Our increasing use of electricity in the twentieth century, shown above, is part of the story of our increasing national productivity. Remember that a large portion of our electric power is used by industries to turn out goods in big quantities, goods that can be priced to fit the average pocketbook.



The principle of interchangeable parts makes mass production on assembly lines such as this one possible. One man operating a power-driven machine can turn out many identical parts in the time he could make one by hand. Back of him is the search for new materials and better ways of manufacturing.

Americans want and expect technological development to continue. It is the main reason why we can produce so much and have such high living standards. It is typical of most of us to "want more," and finding ways to "get more" is a challenge.

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Another economic goal toward which Americans want their country to work is **"The elimination of deep and prolonged depression."** The dictionary says a depression is *a period during which there is a decline in business,* but most adults over thirty years of age would consider this a "pink tea" definition. To them depression is spelled with a capital D, and means a period of terrible human suffering which they lived through once and hope never to experience again.

The deepest and most prolonged depression in our history occurred between 1929–1938. Industries cut down production or went out of business because there were already more goods, or the

possibility of making more goods, than people were willing or able to buy. Twelve to fifteen million workers were out of jobs. People lost their homes; families were broken up; people went hungry and cold.

The depression just referred to was the worst but by no means the only one our country ever experienced. The reason why the elimination of depression is one of our economic goals is that our kind of economy has been more or less subject to depressions, "busts" following periods of "boom." This is sometimes called the "boom and bust" cycle of business.

Various things tend to cause depressions. Some students believe that depressions result when a great deal more goods are produced than people will or can buy. Too much production and buying on credit instead of for cash is another factor. Disasters such as droughts sometimes contribute, too. If there is a long drought, farmers' earning power drops; so farmers cannot buy as many goods as before. Then factory production may run ahead of spending and buying. Nor can farmers buy stocks and bonds, insurance policies, or invest and save money in other ways. The result is that the "balance" between production of goods and purchasing of goods is lost. A situation such as this may undermine some people's confidence in the "business outlook," adding to the conditions that cause depressions.

Mild ups and downs in business activity are considered normal and healthy in a free economy. The deep and prolonged depression is what gives concern. People are not agreed, however, on how to eliminate this evil. Most suggested cures include preventing the boom as well as the bust part of the cycle; but there is little agreement as to how this can be done. For example, should we place a limit on production and buying on credit? Fix wages and prices? Tax businesses and incomes more heavily

This chart of the ups and downs of business activity in the United States during the last forty years explains the expression "boom and bust cycle." No one objects to the "booms," but our goal as a nation is to eliminate the "deep and prolonged depression" such as occurred in the 1930's.

Are the "nieces and nephews" pictured here badgering Uncle Sam for more freedom to compete, or protection against competitors? As protector of the general welfare, no wonder Uncle is troubled.

when production and incomes are high and ease up on taxes when there are signs that production, employment, and incomes are falling?

All these things have been suggested as remedies for depression, but to what extent can we use such remedies and still keep the economy free? Can people be taught to produce, spend, save, and invest moderately and regularly, rather than to splurge and hoard? *How to eliminate* deep and prolonged depression is an unsolved problem.

In a free economy the people who own and operate businesses, or who earn a living working at a trade or profession, compete with other people in the same line of work. They are rivals for business and profits, promotion and pay. Every person has to think of ways to make his business or his ability pay. If he does as well or a little better than others in his field, he can "stay in business." If he outstrips his rivals, his profits are just so much bigger. He may take a chance and lose everything. A really competitive economy is tough and hazardous, but we have learned how to prevent it from being cutthroat or ruthless. Nevertheless, the individual takes his chance on success or failure.

For free competition to work, certain rules of fair play have to be observed. These rules give all competitors a fair chance and serve to protect the customers who must have goods and services. Too many rules or rules of the wrong kind, however, can just about kill competition. Suppose that the rules in basketball were changed so that only one player could shoot at the basket and only from a certain place on the floor!

In the United States it is the goal to have **"The freest possible economic competition consistent with the general welfare."** The ideal is that government, protector of the general welfare, shall interfere just as little as possible in the way people run their businesses and professions or earn their living. It

shall interfere *only* if the general welfare is threatened or if freedom of competition is being violated.

The Government took a special step to protect the general welfare and maintain competitive business more than sixty years ago, in 1890. Congress passed the Sherman Anti-Trust Act which makes it illegal to combine in *restraint of trade,* that is, create monopolies for the purpose of suppressing competition.

The Sherman Anti-Trust Act was passed because some business concerns were suppressing competition. One of the oil companies of that day, for example, used cutthroat methods to kill competition. It forced competitors to sell out to it until it had a monopoly over practically all the oil business in the country. If another company hesitated to accept an offer, it cut prices on oil products in the area and drove the other company out of business. At the same time it raised its prices in other areas to make up for the temporary loss.

The Sherman Anti-Trust Act enabled the Federal Government to break up the "trusts," as the big monopolies were called. It still serves as "our charter of commercial freedom." Under this law business concerns may be prosecuted and punished if they engage in monopolistic practices.

In recent times government has done many things that make economic competition less hazardous for the competitors, but also less free. For example, to protect farmers our National Government began a price support program to keep prices on farm products from falling below a certain minimum.

Over the years the Government has passed laws to protect American manufacturers, farmers, and industrial workers, who produce certain kinds of goods, from competition with foreign-made goods of the same kinds. This protection is provided by means of a tax called a tariff placed on all such goods brought into the United States. This tax or tariff can make the selling price of the foreign-made goods as high or higher than the same kinds of goods made in the United States.

Our National Government has passed laws establishing minimum wages and setting other working standards to protect wage earners. These laws reduce competition. So do our *fair trade laws* which make it possible for manufacturers to get together and set minimum selling prices on certain products.

Government efforts to reduce the risks of competition are made in the name of the general welfare. They are never equally satisfactory to everybody. In fact, even the person who is being helped by a particular law may complain very loudly about a part of it that he thinks goes too far in telling him how to run his business.

How far should government go in curbing competition? How free is "the freest possible?" These are questions citizens in our kind of economy will have to answer again and again. "The freest

possible" at one time may be too free at another. "The freest possible" for one group may be too free for another. In trying to answer these questions, citizens should think of the closely related Premise appearing on page 20: "Both competition and cooperation among individuals and groups are indispensable to the process of democracy."

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Because we believe that everybody should have a chance to get ahead in the world, **"Opportunity for full development"** is an economic goal in America. Abilities and ambitions vary from person to person, but the fellow with the finest abilities and ambitions in the world needs to be educated and trained if he is to develop fully.

Compulsory public education, mentioned on page 30, has been the nation's biggest step toward the goal of opportunity for full development. A high school education is the privilege of every youth. Almost 1½ million youths are graduating each year, and the number is rapidly increasing. The establishment of publicly-supported colleges and universities has also made it possible for many people to get an education beyond high school. These institutions, together with those supported by private funds, are turning out about a half million graduates annually.

Our record in providing educational opportunities is good, but can we do better? Consider these conditions: (1) America spent *almost* 9 billion dollars for education in 1951, *over* 9 billion dollars for alcoholic beverages; (2) tests

The director of special education in a public high school gives a student an apperception test. As a guide to making the most of opportunities for full development, she may also take other tests — aptitude, ability, and achievement. These steps enable teachers to help students to help themselves.

and opportunities given men in our Armed Services during World War II showed that many of them had abilities which they had never had the chance to develop.

Since World War II the nation has not been able to build new school buildings fast enough to keep up with the increasing school population and the wearing out of old buildings. This, plus a shortage of well-trained teachers, means that the educational opportunities of many children and young people of high school age are not up to standards considered desirable for good development.

After World War II, President Truman appointed a group of people to study the whole subject of higher education. The nation certainly needed more doctors, dentists, nurses, teachers, and technicians of various kinds. Since we had young people who could be trained to fill these posts, shouldn't something be done to see that they received training — for the sake of the national welfare as well as for the young people themselves?

The report of the President's Commission on Higher Education showed that cost was the biggest hurdle in the way of opportunity for more training. The Commission recommended that scholarships and fellowships be provided so that students able to profit from college or special training could stay in school until they received this training. To make it possible for more high school graduates to continue their education and live at home, and to give training which the regular colleges usually don't provide, the Commission suggested that many public two-year institutes or colleges be established.

It will be a long time before all the proposals of this Commission are put into action — if they ever are. But the report made a lot of people think about the nation's need for greater educational opportunity for all of its youth. And a beginning in some of the suggested improvements has been made.

Meanwhile, the G. I. Bill of Rights makes it possible for men and women who serve in the armed forces to obtain post-service training in a field of their choice, largely at public expense. By 1954 approximately 8 million veterans had already benefited from this law. Some of them had gone to high schools or technical schools below the college level; some had taken on-the-job training courses; more than 2 million of them attended college or studied for advanced degrees. The armed forces also provide opportunity for personal growth and training while men and women are still in service.

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The jobless years of the 1930's, lasting for many people until the beginning of World War II, fixed the matter of a chance to work and earn a living as an even more precious possession than it

An interesting example of a precaution to assure the safety of workers. A technician for an atomic energy laboratory uses a Geiger counter to check any radioactivity remaining in laboratory coats after laundering. If coats are still radioactive after washing and storing, they are discarded.

had been before. Even while the war was still going on and there were more jobs than workers, full employment was of major importance when any post-war planning was considered.

"Full employment under safe and healthful working conditions" is a personal as well as national goal. Ask a member of any graduating class, "Now, what?" The answer is usually the same: "I want a job."

In 1945 Congress considered a full employment bill guaranteeing a full-time job to every man and woman who wished to work. The bill stated that all Americans have the *right to work*. It went on to describe how the Government could keep tab on economic conditions in the country and provide jobs as needed for those not employed.

There was much disagreement about the bill, and it didn't pass. Many people believed that the right to work was not something that could be guaranteed in a free country. But Congress did pass an employment act the next year. It called for the Federal Government to promote free competitive enterprise and the general welfare as a practical way of providing employment opportunities. It did not guarantee work to anybody. Meanwhile, the number of employed rose. In 1953 it was over 62 million — practically all the employable men and

women in the country. The goal of jobs for everybody seemed to have been reached, at least at that time. But in the early months of 1954 the number of unemployed was growing. While the number was not large, it was enough to cause concern, and to remind us that we had not yet found a way to maintain full employment.

Great strides have also been made in living up to the second half of this Premise — safe and healthful working conditions. A seventy-hour workweek in dangerous mines or poorly-ventilated, unheated, or overcrowded factory workrooms — once common in many industries — is a thing of the past.

The workweek of forty hours is now the rule for most industrial and white collar workers in America. There are still some instances in which children work longer and harder than is healthful, particularly on farms. Newspapers still carry tragic stories of explosions in mines that might have been prevented. But all the states have laws regulating working conditions, and the United States Public Health Service helps promote safety and health in mine, mill, and factory.

Many employers have voluntarily established practices to make the workday less tiring and more pleasant for employees. Such things as frequent rest periods, morning and afternoon snacks, pleasant cafeterias and lounges reduce fatigue and contribute to the mental health of working people.

This pleasant cafeteria is provided for the workers at a plant of one of our big oil companies.

An economic goal for Americans that goes right along with full employment is **"Fair pay"** for whatever work they do. But, although everybody is *for* fair pay, almost immediately the question, "What is fair?" arises. Generally what is fair pay depends on the value of the work. No one should expect pay beyond what he earns, any more than he should be satisfied with less than he earns.

The Fair Labor Standards Act which was first passed in the 1930's and amended in 1949 says, in effect, that pay below seventy-five cents an hour is not fair. This law applies to workers producing and distributing goods and services that go from one state to another. It does not apply to all workers — farm laborers, for example. However, it has helped to raise their pay. They and other workers not covered by the law benefited indirectly because they can ask for and get wages close to or the same as workers whose minimum wages

are fixed by this law. Some states have minimum wage laws, too. In New York, for example, the minimum varies according to the occupation.

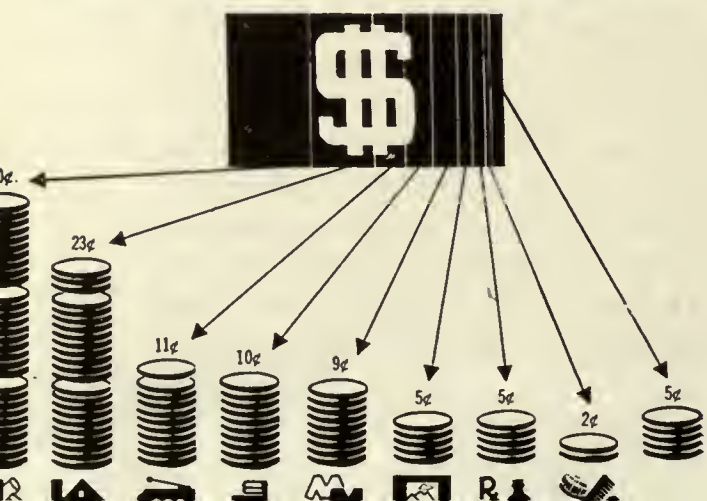
It is important to remember that seventy-five cents an hour is the "wage floor," not the ceiling. In 1953 the *average* hourly earnings without overtime for all manufacturing industries was about $1.70.

Other steps have been taken toward the goal of fair pay for all. It is generally unlawful to employ children under sixteen years of age — in some jobs, under eighteen. Paying women less than men for the same work is no longer the common practice it once was. Ten states have laws requiring that women and men receive equal pay for equal work.

The answer to the question, "What is fair pay?" varies, however. It depends to a large extent on how many groceries, how much rent, how many pairs of shoes, or how much medicine the pay check will buy — *real wages*. Because of the increased taxes and the increased cost of living, a person needed to earn over $6,000 in the 1950's to buy the same things that a $3,000 income would have bought in 1940.

Consider how the proportions shown in the chart below might change if the head of the family earned a very high salary or a very low salary.

WHERE A TYPICAL FAMILY DOLLAR GOES



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Bigger pay checks for everybody is the main road to the economic goal, **"Sufficient food, clothing, housing, and medical care"** for everybody. This goal suggests part of the answer to the question of what is fair pay: Anything less than the amount it takes to provide these essentials can hardly be considered fair. How else would the individual get them in a country where it is believed that every able-bodied adult should earn his own way?

The word "sufficient" in this Premise is like "fair" in the preceding Premise. It isn't easy to get agreement on just what it means. What one person would consider sufficient food, another might think either insufficient or more than sufficient. Here it means the kind and amount *required for good health* — physical and mental.

How near is the United States to the goals expressed in this Premise? Much nearer in the areas of food and clothing than in housing and medical care. High production of food and fibers, high employment and high wages, *plus* increased knowledge of the kinds of foods the body needs have made this possible. In spite of steady improvement in hous-

ing and medical care, however, there is still farther to go.

It was estimated in 1947 that 20 million new houses and apartments should be built between then and 1960 to bring every American up to a decent housing standard or above. Another 5½ million homes needed repairing, according to this estimate.

In every community one can see new houses going up; in many, slums coming down. The national, state, and local governments cooperate with each other and with private builders, trying to catch up with people's demand for better houses to live in. But, even with government help, the goal of sufficient housing remains a very distant one. High costs stand in the way of sufficient housing for the nation.

High cost is also a big block to the goal of sufficient medical care for all. According to a national survey made in 1953, Americans were paying a yearly medical, hospital, and dental bill of over 10 billion dollars. Local, state, and national governments spent almost 2 billion more. The huge total of 12 billion dollars would have been much greater if all the people who needed to see a doctor or dentist had done so. Moreover, 16 per cent of American families had to go into debt to pay their medical bills.

President Eisenhower, in calling for a program "to improve the health of the American people," recommended the extension of health insurance which

A group of citizens and local organizations took the initiative for replacing a slum area in New York City with the new housing shown in this architect's drawing. Work began in mid-1954.

about three-fifths of our people now buy to help them meet their medical expenses. Less than half the people with incomes under $3,000 have health insurance. Many of those earning more, and who have some insurance, are not sufficiently covered to pay for full health services.

The U. S. Public Health Service, which carries on research, helps build hospitals, and provides the states with money for public health services, has increased its work since World War II. The forty-eight states have likewise increased their services. Our people feel the benefits of most of these efforts to improve health standards right in their own communities — through their public health offices in 1,319 counties and cities. The individual looks to his private doctor and hospital, however, to give him his medical care.

Medical science in the United States is second to none in the world. Americans can today expect to live almost thirty years longer than those of a hundred years ago. Average length of life for all people in the nation is now sixty-eight years — second highest of all nations. Researchers, doctors — the whole medical profession — are among the foremost contributors to the nation's prosperity and security. More people need their services.

In some sections of the country more doctors, dentists, psychiatrists, nurses, and hospitals are needed. Generally these needs are in the rural and small town areas. In places where there are enough doctors and dentists, many people postpone or fail to get care because they use their earnings to pay for things considered more pressing. For some of our people the medical problem is one of not having enough money to pay for all necessities. Other people spend too much money on unnecessary things and have none left for medical care.

A dramatic shot taken in the laboratory of the National Cancer Institute, supported by public money. Cancer research is also supported by voluntary contributions of individual citizens.

For the good of the whole nation more money is needed for medical research. Everyone would benefit if our scientists could find ways of preventing and curing such diseases as cancer, and illnesses of the heart and mind.

How best to make progress toward the goal of sufficient housing and medical care is another economic question on which there is wide disagreement. Should there be more public housing and some kind of government assistance to help people get the regular medical and dental care they need? Or would these steps create other problems of a different and perhaps more serious nature? Would assistance of such kinds perhaps make people less independent, and members of the medical profession less able to maintain their standards?

Lawmakers have debated questions such as these and will do so again. Citizens, too, are responsible for finding out pros and cons and weighing seriously any steps considered.

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One of the economic goals of our nation is to help citizens build up retire-

ments or pensions for old age. People live longer today. On *what* do they live when they are too old to do the kind of work our fast, industrialized economy demands? Even before they have grown old, on what do they live when they are unemployed, sick, or disabled?

As long as the United States was an agricultural nation, there was less need for a broad systematic scheme for meeting the old age, unemployment, or sickness problem. With a bit of land to till and odd jobs to do, most aging people slowed down their activities but carried on their occupations. If, because of misfortune or illness, they needed special help, their children were usually able to provide it.

Industrialization changed this picture. The number of jobs that older people can go into when they are no longer able to keep up the pace of their regular work has become fewer and fewer.

Some employers have long helped with this problem by providing pensions for employees who work for them over a long period of time. Many people help themselves by a systematic savings or insurance plan. A nation-wide social security program provides additional benefits, and reaches many more of our people.

Congress passed the Social Security Act in 1935. This was the first step toward nation-wide **"Social security — protection against the basic hazards of existence such as old age, sickness, accident, and unemployment."** Since that time the law has been amended so that a large proportion of our people are now protected to some extent against misfortunes and old age.

Some understanding of money values, banking, and investments, such as these high school students are getting, is a big help to the individual in planning for future security.

One part of our national social security program requires that pensions be built up jointly by contributions of employers and employees in business and industry. People who are employed in certain professional work or by certain kinds of non-profit organizations may decide as a group whether to take part in the social security program or not. Farmers and most other self-employed people now share in it, too.

This part of the social security program — called the old-age and survivors insurance — pays monthly benefits to the insured after the age of sixty-five. The law also provides terms by which an insured worker's family may receive some insurance if he dies before the age of sixty-five, or after he has begun drawing his pension. In 1954 Congress

passed legislation increasing the size of the retired worker's pension and giving him other added benefits. In signing this bill, President Eisenhower pointed out that it gave 10 million more Americans an opportunity "to establish a solid foundation of economic security for themselves and their families."

The social security program also includes a plan by which the states provide many of their unemployed people with temporary insurance. This unemployment insurance, which varies in amount from state to state and which is paid for by employers, helps to tide workers over the lean periods between jobs. Other parts of the Act provide for money payments to the needy — the aged who aren't eligible for social security pensions, the disabled, and widowed mothers who can't hold a paying job because they have small children to care for.

All the states have workmen's compensation laws that allow workers to receive money for medical bills and other expenses for accidents that occur on the job. In some jobs employers also allow a specific number of days or weeks of sick leave during the year when the worker who is out because of illness draws his pay check as usual.

The social security program, plus the voluntary efforts of individuals and employers, takes the nation a big step forward toward the goal of social security for all.

Making the most of an opportunity for enjoyment — a family playing the game of loop tennis.

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Why do we have laws regarding social security, fair pay, full employment, opportunity for full development — all the economic goals toward which the nation works? The answer lies in the fact that our people have a bigger, over-all goal. They want **"The opportunity to enjoy life — no one should be so hard-pressed to earn the necessities of life that he cannot take part in 'the pursuit of happiness.'"**

This Premise is not saying that happiness, or the enjoyment of life, can be guaranteed people by relieving them of hard work. Nor is it saying that being guaranteed a good job with a good income, insurance to cover all emergencies, and a pension for old age is an assurance of happiness.

The Declaration of Independence states that the pursuit of happiness is an inalienable right, given by the Creator along with the right to life and liberty, but it doesn't say what happiness is. That, every individual has to discover for himself because happiness means

different things to different people. This Premise says it is one of our goals as a nation to see that every person be free enough from the work and worry of earning a living to have time to pursue happiness in his own way.

The shorter workday and workweek are a recognition of the importance of making sure that people have an opportunity to enjoy life. So are recreational facilities — playing fields, beaches, swimming pools, parks, community centers, libraries, museums. So are the public schools of America. The broader the education a person gets — not just preparation for a job — the better are his chances to enjoy life. Said the poet, Gelett Burgess:

He joyed of life's pleasures
All he could find;
But the greatest of treasures
He found in his mind.

THINGS TO TALK ABOUT, AND DO

1. As is suggested in the introduction to The Free Economy, page 97, all citizens do not agree on how we are to reach our economic goals. Contact representatives of business, industry, labor, and professional people in your community and ask them to discuss their views with your group. Inform them of the economic goals to be discussed so that they will have time to give thought to the subject. One reference book that might be read in preparation for the discussion is William Van Til's *Economic Roads for American Democracy*, published by McGraw-Hill Book Company, New York, New York. Look in your library for others.

2. All groups, in fact each of us, want to be free to compete and reap the rewards of competition. But when the going gets a bit tough, we want the laws or the rules changed to cut down on the competition. Write a humorous skit around some happening showing this characteristic.

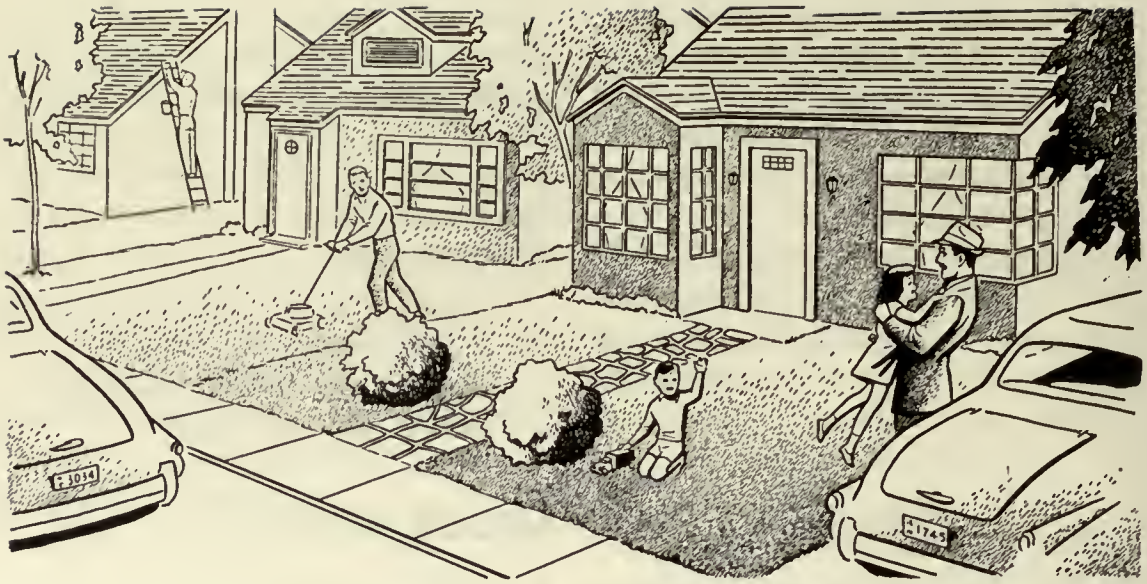
3. Decide among yourselves how well your community is meeting the goal of opportunity for full development. Then, if it seems desirable, form a committee of young people and a number of parents and other adults to meet and decide on what citizens can do to make some specific improvement. The committee might consider better recreational facilities, or a chance for young people to participate in civic affairs.

4. If "the opportunity to enjoy life" is one of our goals, each of us might do some thinking about what this expression really means. What opportunities do you consider essential? Write your thoughts about it in an original poem or essay.

5. Select members of the group to make a visit to the office of public health in your community to find out and report on the services it provides. It is said that many people do not take full advantage of public health services because they are not aware of them. The group might prepare an item for the local paper or a program for the local radio station giving this information.

6. What points would you consider in answering the question, "What is fair pay?" Discuss your ideas on the question with others in your group. In what instances might it be better to consider "pay per year" than "pay per hour"?

7. Most people mean the *amount and variety of goods and services or conveniences* when they use the expression "standard of living." There are some who argue, however, that a person's standard of living isn't really high unless he is free to make choices as to what he has and what he does. Explore the feelings of your group on these two points of view.



The Economic Guarantees of the Constitution

Economic freedom for each individual is one of the freedoms that has always attracted people of other lands to America. Our fundamental laws contain guarantees to protect this kind of freedom, just as they guarantee such freedoms as religion, speech, press, petition, and assembly.

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We believe that economic freedom includes private ownership of property or wealth — land, houses and furnishings, buildings, factories, mines, money, goods. Ownership gives a sense of freedom. In a communist country such as Soviet Russia the government owns most of these properties. Of course, the Government owns such things as post offices, parks, and schools in the United States, too, but as a nation we are devoted to private ownership. Most Americans feel great satisfaction when they can say, "This is mine."

The men who wrote the Constitution and the Bill of Rights probably knew of many cases where kings or other powerful people helped themselves to the land or houses or other property of rightful owners. Maybe it was the destruction of crops by a hunting party. Maybe

the king's soldiers simply moved in and took possession of house and stables, of cattle, pigs, wheat, and other foodstuffs. One of the "insults" Colonists had suffered before the Revolution was having the British soldiers occupy their houses and lands without their consent. The Third Amendment to our Federal Constitution protects Americans against this specifically.

The Fifth Amendment to the Constitution contains our fundamental property guarantee. It says, in effect, **"No one can be deprived of his property without due process of law."**

The meaning of *due process* is discussed on page 33. A very simple way to describe it here is to say that due process gives a person about to be deprived of his property a chance to take his case to a court and get a hearing. Often it prevents the weak, "the little guy," from being entirely at the mercy of an overpowering person, group of persons, or government.

Sometimes a court has to make a decision choosing between the property rights of two parties. For example, several owners of red cedar trees in the state of Virginia claimed that a law requiring the destruction of all red cedars in the state violated their property right. The law was passed because red cedars were infected with a disease that was spreading and damaging people's apple orchards. In the end the owners of the

A scene from the movie *Viva Zapata* showing Mexican peasants and their leader planning to get back, by force, the property a despotic government has taken from them. The property guarantee in our Bill of Rights was put there to prevent this kind of thing from happening in our country.

cedar trees lost the fight to save their property because the courts considered the apple growers' property of greater importance to the public welfare. But due process of law had been followed.

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Another kind of economic freedom, guaranteed all persons in any territory subject to United States control, is the right to work as a free man. **"No one can be enslaved or forced to labor involuntarily except as punishment for a crime."** Strange as it may seem now, this guarantee is not so old as the one concerning property. It is contained in the Thirteenth Amendment which was added to the Constitution after the War Between the States.

Could people believe in the right to personal liberty and at the same time believe in human slavery — the owning of human beings as property? When Abraham Lincoln freed the slaves in the states fighting against the Union during the War Between the States, he put human liberty ahead of property. He deprived slaveholders in the Confederate States of their property.

By the time the Thirteenth Amendment was passed, in 1865, slaveholders had been deprived of property valued at around 3 billion dollars. Originally, however, attempts were made to get slaveholders to agree to free their slaves voluntarily on the condition that the Government would pay them for the loss.

Today most Americans shy away from anything that remotely suggests forcing a person to work for another against his will — except as punishment for a crime. That is why some people object to a labor draft during wartime, discussed on page 91. They see a big difference between drafting men to fight and drafting men to work. Forced labor of any kind is a practice they associate with dictatorships where respect for human dignity is lacking. (See involuntary servitude, page 34.)

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The Constitution contains an economic guarantee that protects the individual property owner, and the public welfare at the same time. **"No property can be seized for public use without giving the owner just compensation."** For example, a state government decides that a public road needs widening. To widen it requires several feet of timbered land belonging to a private indi-

A private house gives way to a public road, but you may be very sure the owner was compensated.

vidual. The government has the right to take the property for the road, but it must pay the owner a fair price for both the land and the timber on it.

Sometimes fair payment includes the value of a house or building that has to be torn down to make public improvements. If the building is used for business, possible business losses may also have to be included in the payment.

A government's power to take private property for public use is called the power of *eminent domain*. But no government can lawfully seize property if it cannot prove *in court* that it is needed for public use. And the owner can always demand a court hearing and try to prove either that the public does not need his property, or that the price offered him for it is too low.

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There have been times in past history when heavy taxes took a great part of the people's farm products, livestock, land, and other property. For this reason one of our economic guarantees gives every person some say about how much property in the form of taxes a government can take from him. This is the guarantee in the Federal Constitution and in all the state constitutions about levying taxes. **"No tax can be imposed without the consent of the people, expressed through a majority of their representatives in government."**

If more citizens took the trouble to find out how their tax money is spent, as has been done for the chart above, they could support or oppose more intelligently the taxes their representatives vote.

Sometimes when a local government wants to raise taxes to get more funds for such public uses as schools or recreation, it holds a special election so that every voter has a chance to say whether he is willing to pay more taxes. But if the people aren't given an opportunity to vote on a tax increase directly, representatives who are responsible to them must make the decision.

In the early days of World War II when more money was needed to meet national expenses, it was Congress that decided to put a special tax on such things as cosmetics, leather goods, and jewelry. It was Congress that increased federal income taxes at the same time, lowered them when the war was over, raised them again in 1951 when more money was needed for defense, and reduced them in 1954.

Our belief that the people must have the power to decide *for what* and *how much* they shall be taxed grows out of a custom that began in England during the Middle Ages. The nobles stated in Magna Carta in 1215 that the power to tax belonged to them, not to the king.

The idea of "a tax when the people say so" continued and grew as the power of Parliament, England's lawmaking body, grew. Controlling taxes or the amount of money a ruler had to spend, these lawmakers found, was one of the most effective ways of keeping him "cut down to size."

The early Americans established the idea of taxing themselves through their colonial assemblies. They resented taxes which they didn't ask for, the special ones such as the Stamp tax and the tax on tea that the English government imposed. They said these taxes were a violation of their rights because they weren't represented in Parliament. (See the discussion on civilian control of the military forces, pages 77–78.)

The statement "Taxation without representation is tyranny," made by the patriot James Otis in 1761, became a war cry that rallied Colonists to support the American Revolution. It is thus very natural that the authors of the Constitution gave control of the National Government's power to tax to Congress, elected by the people. Our state and local governments follow the same principle — the people control taxation.

Getting a royal shakedown! The English barons who forced King John to sign Magna Carta would certainly have understood this cartoon, and so would American colonists of Revolutionary War days.

The right to consent to or reject taxes hasn't taken the sting out of being taxed. Nobody likes paying taxes. He likes only the services the taxes pay for, and he howls if services are cut down. A French financier remarked back in the 1600's that "The art of taxation consists in so plucking the goose as to obtain the largest amount of feathers with the least possible amount of hissing."

THINGS TO TALK ABOUT, AND DO

1. A man who owned a swimming pool near a small town became very disturbed when he heard that a committee of citizens was working to get the town to build and operate a public pool where people could swim for a much smaller fee than he charged. He claimed that building and operating the public pool, if the project went through, was a violation of his property right. Do you think he was justified in his claim? Why, or why not?

2. What reasons can you give for the deep satisfaction so many people express when they say — after finishing paying for a house, a car, or a business — "Now, it's mine"?

3. Man's fierce devotion to his property has been an important theme of many novels. Select members of your group to work with a teacher of literature and the librarian in compiling a list of such books for reading and discussion by the group.

4. Why is Article I, Section 9, of the Constitution a step in the elimination of forced labor or involuntary servitude in this country?

5. A government project to create a large lake in a community in the Middle West required flooding several acres of farmland and buildings. Arrangements were being made to take over the property — the farmers were to be justly compensated for their land and buildings — when it became apparent that an old, old country graveyard would be covered by water. Owners of burial lots in the graveyard — as many of them as could be found — were notified. In addition to offering to move the contents of the graves and the headstones to another spot, the government offered money compensation to the families involved at the current rate charged for burial lots in the community. Many of the owners refused sale for many months, some suggesting that the project be given up; a few even proposed that the lake be built around the graveyard and a wall constructed to protect it. What would have been your reaction had you been one of the property owners, or a judge trying to make a decision fair to all?

6. Ask your parents and two or three other adults whether they feel their taxes are too high, how fairly they think tax money is spent, and whether they have ever done anything to correct what they considered an unfair tax or extravagant use of tax money. Discuss the various opinions discovered by each member of the group. Then write an editorial for the local newspaper summarizing the findings. The writing of the editorial should be assigned to one person, to be done following the group discussion and group conclusions.

7. Incidents described in such books as *Forced Labor in Soviet Russia* by David J. Dallin and Boris I. Nicolaevsky, and *I Chose Freedom* by Victor Kravchenko tell us that involuntary servitude is not a thing of the past in some parts of the world. Read and discuss portions of either or both books for a better appreciation of our Premise on freedom from involuntary servitude.

The Rights of Property

Every once in a while in our towns and countryside one sees signs carrying such warnings as "No Trespassing," "Private Property, Keep Out," or "Private Road." These signs are reminders of two facts: Most property in the United States belongs to one or more private individuals, not to everybody in common — the public; and property holders have a right to say how their property is used.

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Americans take it for granted that **"The individual may own and use land, houses, personal property, and money."** Proof of this is how shocked students would be if the high school principal suddenly made the announcement that henceforth the students couldn't own bicycles. He would have them all collected and kept by and in the name of the school!

Private ownership grew up with America. Property was a prize that encouraged early settlers to come here. In many of the Colonies fifty or more acres of land went to every man who could pay his passage over. Even the *indentured servants* — those who pledged themselves to work, after they got here, for the person who paid their passage over — usually got a piece of land of their own when their period of service ended. The price of land was low for

those who wanted to buy. And some of the more adventurous souls simply "squatted" on land and after a time called it their own.

At the time America was being settled, few people were able to satisfy their property hunger in Europe. This made their love of property all the more fierce in America. It was partly this fierceness that won for the settlers their independence from Britain. The authors of the Bill of Rights showed how strongly they felt about private property when they included it, right along with life and liberty in the Fifth Amendment, as something that couldn't easily be taken away from them.

Our National Government encouraged private ownership of property almost as soon as it began to operate. Many of the thirteen states claimed land far west of the settlements along the Atlantic seaboard. All such territory west of the Appalachian Mountains and Lake Ontario and Lake Erie was made the property of the new National Government under the Articles of Confederation. But land laws passed in 1785 and 1787 enabled private citizens to buy it in plots "for a song."

The Federal Government had the land surveyed in what are now the states of Ohio, Indiana, Illinois, Michigan, and Wisconsin. It then established offices where the land was sold at auction for as little as one dollar per acre. The Homestead Act, passed during the War Between the States, set up the terms under which private individuals could become the owners of millions of

On their way to becoming property owners. This is a shot from the movie *Cimarron* showing settlers of the Oklahoma territory racing to stake out their claims. Note the land office, right.

acres of the public land west of the Mississippi, without the payment of any money. And private companies were given many more millions of acres as an encouragement to build railroads.

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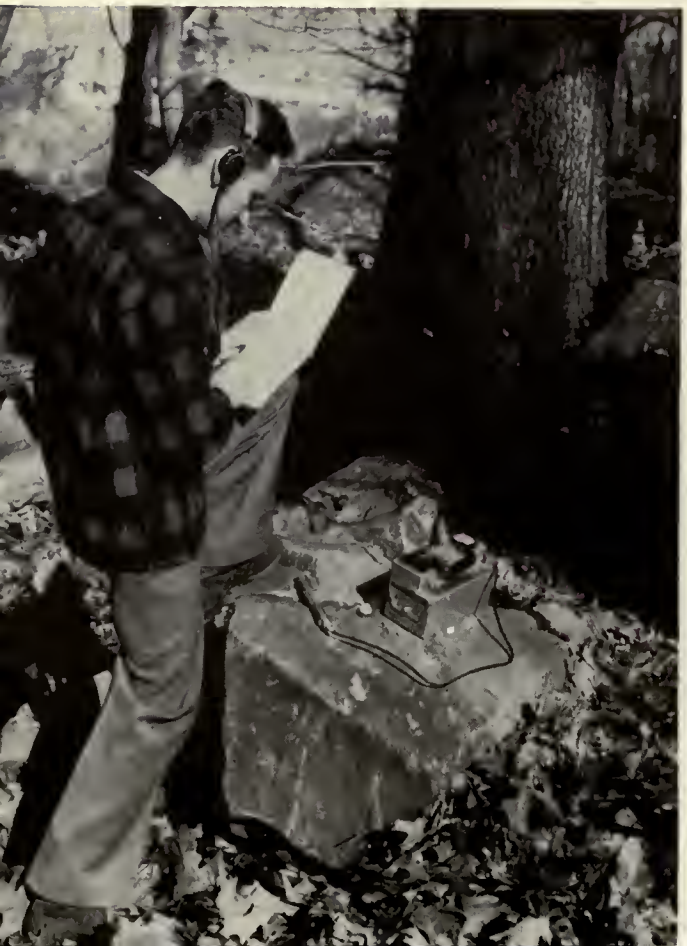
Private ownership of the riches *in the land* is born into America's "blood and bone" as surely as owning the land itself. **"The individual may own natural resources and the means of production."** Coal, timber, oil, iron, gold, silver, copper — whatever the good earth yields — have been considered *naturally* the property of the person from whose land these things come. Any other idea would seem *most unnatural* to us.

If this geologist locates a possible source of uranium, the Government will take interest quickly. The owner of the land on which uranium is located does not have full rights to it as he would if it were some other natural resource.



Who owns the coal mines, the lumber mills, the oil refineries, the iron mines, and steel plants — all the means of production that turn America's natural resources into useable goods? With very few exceptions the answer is *private individuals.* And the answer is the same when the question is asked about who owns the railroads, ships, trucks, grain elevators, stockyards, markets, stores, and other facilities for distributing the goods.

Private ownership does not necessarily mean single ownership. Corporations in which hundreds of people hold stock own many of the natural resources and production plants in America. A research organization made a study to find who shared in the ownership of American industries in 1952, and reported that almost 6½ million persons owned stock of some kind. (The subject of corporations is discussed more fully on pages 141–142.)

Our Federal Government built and operated a vast number of industrial plants during World War II. This most unusual step — public ownership of the means of production — was taken to speed up production of rubber, aluminum, magnesium, planes, ships, and other materials of war. But most of these plants were dismantled or sold

Bill McNutt or his heirs will doubtless decide who will be the next president of this family-owned corporation, just as McNutts before him did; and they could pick an able outsider.

to private companies as soon as the emergency was over.

Because Americans believe strongly in production of goods by private enterprise and for private profit, they permit production by government only in times of emergency and a few other instances. When a job is too big or too unprofitable to be done by private companies, government may be permitted to do it. The building of big dams such as Grand Coulee, and the development of a whole region such as the TVA has done in the Tennessee River Valley, are examples of jobs that were judged too big for private enterprise.

There is one special exception to the private ownership of the means of production — the facilities for producing atomic energy. These are owned by the Federal Government — all the people — because the need for national security requires rigid controls.

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American laws have long given the owner of property the right to some say in what shall be done with it after his death, as well as during his lifetime. **"The individual may pass his property on to others of his own choosing."** Under the property system that existed in much of Europe when we became a nation, many of the men who lived on or used property had no such right. The Colonists took steps early to break away from laws that permitted the government to specify a certain individual as the inheritor of property, or find reasons

for simply taking it over, as was sometimes done.

One of the first and most important laws passed by our National Government was the Northwest Ordinance, in 1787. It provided rules for the passing down of property in the Northwest Territory (now Ohio, Indiana, Illinois, Michigan, Wisconsin). This famous law stated that the owner could will his property to whomever he chose; or if he died without a will, that it should be divided among his nearest of kin. This regulation already existed in some of the thirteen original states, and it set a pattern for new states.

Today all the states have what are called *fee simple* laws which give the property owner what usually amounts to complete power in disposing of his belongings. The right to bequeath — that is, hand down one's property — and the right to inherit are part of the property right, whether the property is a couple of trinkets, a few dollars, or an estate valued at a million or more dollars. Like other rights, however, these rights must be weighed in the light of the needs of the public welfare. The courts make the final decision.

Public safety laws — limiting the number of occupants, and requiring doors to open outward — might have saved hundreds of lives here.

Inheritance taxes may cut down on the amount of property an individual can inherit. If a person dies and leaves an estate of more than $60,000, the Federal Government takes a slice of it in taxes, and the bigger the estate, the higher the rate of taxation. Very likely the state government will take an additional slice, for almost all the states tax property that is inherited. Usually more of an estate is taken in taxes if it has been left to a *distant* relative than when a very close relative is inheriting it.

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Property right generally includes the right to use property in whatever way the owner wishes, but this right is not unlimited. **"No one may use his property in such a way as to conflict with the public health, safety, order, or interest."** Owning a couple of lots, for example, doesn't give a man the right to erect on them the kind of housing that creates a fire hazard for the occupants of the buildings, and maybe for the people in the adjoining blocks as well. There are many times when one person's property right has to give way to other rights of more people.

The right to use property as the owner wishes creates some difficult problems. One community, mostly inhabited by people who owned summer homes for quiet and relaxation, was

thrown into an uproar over the sale of the site and building that had been used as a summer theater. The owner of this property sold it to another person who planned to use it as a tavern.

The residents objected to having the tavern in their midst. But they could not prove that it conflicted with the public welfare, and there was no law that prohibited it. To keep the tavern out they raised money among themselves and bought the property.

Zoning laws might have prevented the above incident. People in many communities protect their property interests by passing laws that restrict the uses to which other property in certain areas can be put. If zoning laws are to be successful, foresight is important. It is usually difficult, and sometimes impossible, to prevent the operation of a chicken farm in a residential area, for example, if it has been operating there for years.

THINGS TO TALK ABOUT, AND DO

1. The owner of several acres of hillside land across the road from a new housing development discovered a way by which he could realize an extra profit from his property. His method was to scrape off the topsoil and sell it by the ton to new home builders, likewise the subsoil which made good fill. When the acreage had been leveled, he said, he could still sell it in plots for new homes. The people in the new houses across the road objected. They claimed that the unsightliness that he was creating actually decreased the value of *their* property. A lawyer to whom they took their complaint, however, advised them not to sue because he believed that the owner of the hillside land was completely within his property right. Do you agree or disagree? Why?

2. There have been several experiments in group ownership of land and other kinds of property in this country, beginning with the colony of Plymouth. Select members to look up and report on accounts of some of these experiments — at Oneida, New York; New Harmony, Indiana; Redhook, New Jersey; Brook Farm in Massachusetts, and the Shakers in Vermont and other sections of New England. Do you agree with the belief that people work harder when they work for themselves alone than when the fruits of their work must be shared with others?

3. Compare the number of acres of public land in the United States with the amount held by private owners. Consult the *World Almanac* for information. For what are the public lands used?

4. Opinion is divided as to the fairness of big regional and river developments by the government in a free economy. Ask the librarian to help you locate materials dealing with the pros and cons of the TVA and similar projects proposed for other sections of the country. Discuss these issues and try to reach your own conclusion about them.

5. Obtain the film *Sea of Grass* from your nearest film library. After seeing this film, discuss the need for greater responsibility on the part of the owners of property. Are there evidences of similar irresponsibility in your own community — eroded hillsides, polluted streams, blighted forests? If so discuss the possibility of getting adult citizens and organizations to work with your group on the problem.

6. Invite an official familiar with the work of your county court to discuss the subject of wills with your group. Ask him to cite specific examples of types of wills that have been broken and those that have stood up. Note whether the examples he cites illustrate the Premise, "The individual may pass his property on to others of his own choosing."

The Privileges of Individual Enterprise

THE WAY OF DOING BUSINESS that has grown up with America — the individual enterprise system — carries with it several privileges. These privileges encourage the person who wants to go into business for himself or to make a profit from a new idea or gadget he has developed on his own time and money. One person takes advantage of these privileges and opens a little store; another manufactures baseballs; a third develops a new plant, or composes a song. A list of all possibilities would be endless.

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In our individual enterprise system, anybody who can make a product or provide some service that people want and will buy is free to try his hand. **"The individual may start his own business and profit financially from its operations."** Americans admire the self-starter, the person who will take a risk to get ahead in the world, and they prefer the kind of economic system that encourages this. They believe that hope of personal profit is what makes an individual do his best and hardest work.

There are approximately 4 million different businesses in the United States. These provide varieties and quantities of goods and services beyond the imagination of people in many countries of the world. Some of these businesses are very large; some, middlesized; most,

small. Whatever their size, all had their beginning in the mind of a single individual. Here is how one of them got its start.

In 1937, Mrs. Henry Rudkin, who lived on a place called Pepperidge Farm in Connecticut, came to the conclusion that a faulty diet might be part of the cause of her young son's poor health. So she tried correcting the diet by making bread for him by her grandmother's recipe, using whole grain flour which she ground herself in a kitchen coffee grinder.

Young Rudkin's condition seemed to be helped by the bread. Moreover, he liked it, and so did other people who tasted it. "Why don't you make it to sell?" said some of them.

The Pepperidge Farm baking business started with eight loaves of bread which the local grocer displayed on his shelves for Mrs. Rudkin. These were snatched up so quickly that the grocer asked to have more, and regularly. Eleven years later Mrs. Rudkin was making and selling forty thousand loaves of Pepperidge Farm bread a day, plus melba toast and poultry stuffing made from the leftovers, and quantities of flour, meal, and scotch oatmeal, ground by her special process. The baking quarters, meantime, had changed, first from the Rudkin kitchen to a converted stable, and finally to a new building costing over a half million dollars. The Pepperidge Farm bread business was paying off handsomely.

The story of the way Mrs. Rudkin's business started and grew has been repeated many, many times over, with a change of the name of the product and a few necessary details. Probably there is a similar success story in the history of nearly every town. And "starting a new business" still goes on. As many as 400,000 new businesses are opened in a year in the United States. It is, however, no easy task for the individual who wants to be "his own boss" to find some enterprise in which he has a fair chance of succeeding. Therefore, the fellow who develops a new product or offers a new service has the better chance.

There are restrictions — legal limits — which the person who is thinking of starting a new venture must be aware of. For example, he can't start a dairy business unless the health of his cows and the bottling and marketing of the milk meet certain health standards set by state laws. Also, zoning laws may keep a person from starting a business in a particular place — a supermarket in

A group of students started the business announced in this cartoon. Each invested a dollar and got a 10 per cent dividend at the end of the year.

a residential area, for example. Laws such as these are for the protection of the public, however, and not to restrict the new business venturer.

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In America where the individual has his money and ideas tied up in mines, manufacturing plants, stores, and offices, it has generally been assumed that he, the owner, should also have the privilege of deciding who is to work for him and how a job is done. He takes the risks and the responsibility, and the losses if the business doesn't succeed. The idea is expressed in the Premise, **"The individual may employ, discharge, and direct his employees providing he does not violate the law."**

The last part of this Premise, "providing he does not violate the law," is complicated. For the greater part of our history there were few laws restricting employers, some of whom forgot to consider their employees' welfare when they were deciding how to operate their businesses. Especially was this true as businesses became very big and were run not by their owners but by managers who could not possibly know all the employees.

Here, in keeping with one of our fundamental economic Premises, an employer or his agent exercises his right to hire the people who work for him.

As laboring people have organized to make their voices heard, laws have been passed taking away some of the employer's privilege to hire and fire and direct as he may wish. Many Americans thought the Wagner Act, passed in 1935, went too far in this. They objected, for example, to the practice of "featherbedding" which grew up — a practice in which some unions forced employers to hire two or more men to do the work that one might have done.

As a result of the Wagner Act, unions had a say in who should be employed. A union could demand that an employer abide by a *closed shop* regulation, which meant that the employer couldn't hire anyone who was not a union member at the time of hiring.

In 1947 another act, Taft-Hartley, amended the 1935 law and set up new rules for employers and employees. It banned the closed shop. An employer could thus hire anybody he wished, union member or not. Then if a majority of all the workers in the plant wanted a *union shop* — one hundred per cent union membership — the worker had

thirty days after he was hired in which to join.

In many important respects the Taft-Hartley Act did not differ greatly from the Wagner Act. The right of workers to organize and bargain collectively was still assured, for example. (See page 143.) But because of the ban on the closed shop and other losses of power, labor unions were not any happier with the regulations of the Taft-Hartley Act than employers had been with the Wagner Act. How much to change the law — wholly, in part, or not at all — was an issue in the national elections in both 1948 and 1952. In 1954, getting a law that both employers and labor unions could agree was "as fair as possible" still remained a job for Congress.

All employers, whether their workers belong to unions or not, observe laws setting minimum wages, hours, and the health and safety conditions of the place of work. But these laws are in the public interest and not to restrict the rights of employers. We could not have an individual enterprise system if laws took away too much of the individual's privilege of running his own business.

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A privilege of the American individual enterprise system that every citizen enjoys is his freedom to use his money as he wants to: **"The individual may save, spend, or invest his money as he may desire."** The freedom to save and invest is really part of the individual's freedom to start his own business. Usually, starting even the smallest business takes money — capital — and the individual must save and invest his money to get capital. Even if he borrows, he has to pay back the loan and he must save to do that.

Anyone can get some idea of how strong this Premise is fixed in American life by observing how many children are taught to save their pennies before they even know what money is. As soon as they get an allowance or small earnings of their own, children are advised to save and save regularly. Perhaps they save for an article such as a watch or a bicycle they want very much; perhaps for the long term goal of a college education; perhaps to buy a pig or a calf or a bond as an investment that will earn more money.

It would be almost impossible to list all the ways people have thought of to invest their money, and a new idea is probably born every day if not every hour.

Putting savings in the bank and in postal savings accounts, taking out insurance, and buying stocks, land or buildings, or bonds of some kind are the commonest forms of investment. But the most important points to remember here are that under our system *the individual can choose* what to do with his money from so many possibilities, and he can profit personally from what he invests.

Farming is one of America's biggest businesses, as the young man who owns this prize calf knows. He knows, too, that money invested in better livestock will bring him bigger profits.

The nation as a whole benefits because so many people save money. Savings banks lend the money people deposit in them — to other individuals who use it for such things as buying houses, to corporations that put it into new plants and machines that increase production. Thus the money keeps making money.

Our federal laws help to protect the savings and investments of the individual. He can put his money in a bank and feel assured of its safety, because most banks carry insurance to protect individual deposits up to $10,000. All banks belonging to the Federal Reserve System insure their depositors to this amount, as do many state banks. Individuals may also invest in securities — stocks and bonds — knowing that the corporations that sell securities to the public must meet certain standards set by law.

The Securities and Exchange Commission in the National Government sets up "rules" to protect the investor. These regulations do not assure the person who buys securities that he can always get back as much money as he invests, however. If he sells his securities, he may get less or more than he paid, depending on "the market." His dividend

or rate of interest may vary, too, unless he has invested in bonds or certain kinds of preferred stock. The law does, however, help him to know certain facts about stocks so that he can buy more wisely. It also helps to keep swindlers out of the investment business.

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The person who starts or operates a business under our individual enterprise system takes risks — often risks that involve all the money he has saved and all that he could borrow. One of the privileges that is a part of the system helps to lessen his risks and, at the same time, protects those with whom he does business. It is expressed in the Premise, **"The individual may make contracts with the assurance that they will be legally binding on all parties."**

Making and keeping a contract is like making and keeping a promise. A contract is an agreement between two people or parties, nearly always in writing. To take a simple example, if a baseball bat manufacturer wants to make sure of getting so much lumber of a certain kind at a certain time, he may contract for it with a lumber dealer at an agreed-upon price. Should the lumber dealer fail to come through with any part of the agreement, the manufacturer's business may be seriously affected, even ruined. If this happens, the manufacturer may sue for damages.

State laws specify the requirements an agreement has to meet to be legally binding. Contracts can be very simple or so complicated that even lawyers have trouble deciding what they mean. But if it weren't possible to make contracts with the assurance that they are legally binding, people couldn't live and work together in an orderly way.

Living up to a contract is, like keeping one's word, essential to all good human relationships. Smooth and orderly business procedures would be impossible if people couldn't be held to their obligations. The signing of a contract is a regular procedure of employers and employees. Members of labor unions frequently refuse to work until a contract has been drawn up and agreed to by their employer and their union. Employees who do not belong to unions may or may not have formal contracts with their employers.

Each of us makes use of the contract principle, almost daily, though we may not use the term. For example, the lease signed by the owner of a house or office and the person who rents it is a contract. So is an insurance policy and the guarantee on a new watch or other item. So is the I O U we sign when we borrow money.

Governments as well as individuals and organizations must respect contracts. According to the Constitution, Article I, Section 10, "No State shall . . . pass any . . . Law impairing the Obligation of Contracts."

Research in a laboratary af a drug company to find ways of treating viruses. Such research, done often by private campanies, is costly.

The Constitution encourages and protects individual enterprise by "securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." The quoted part of this sentence is in Article I, Section 8, of the Constitution. It is the legal background for the Premise which says that **"The individual may profit from his ideas and inventions, protected by patent and copyright laws."** Inventors and publishers should know what these laws are. Here, there is space to talk only generally about what the Premise means.

A copyright protects a publisher or author from having his published works copied and sold by somebody else without permission. Copyrights can be obtained on a great variety of original works — books of all kinds, magazines, newspapers, plays, musical compositions, pictures, maps. The copyright protects the publisher or author for twenty-eight years, and it may be renewed for another twenty-eight years.

The copyright is held more often by the publisher of the work than by the author, but it protects both. When a copyright expires, the contents become public property and anyone may use it; it is therefore said to be in the *public domain.* Publications prepared and printed at government expense are not copyrighted. Instead, unless classified as secret material, they are in the public domain from the start.

Without the protection given by patent laws a person who spends years perfecting a machine, or making an improvement on one, might have his idea "stolen" and receive neither credit nor profit from its use. Even with patent laws an inventor sometimes has trouble getting his invention licensed in time to protect his rights. Before Eli Whitney got a patent right on his cotton gin, for example, the machine was being copied, produced, and used all over the South. Under the patent law Whitney would have had exclusive rights to his invention for seventeen years, unless he had wanted to sell it.

Most large business firms carry on continuous research that leads to new inventions and discoveries. The findings of scientists in Bell Laboratories are used to improve the telephone; Du Pont gives us new kinds of cloth and

other plastics; General Motors gives us improved engines.

Business firms have the patent rights on inventions and discoveries their employees make on company time and money. Disagreements have arisen over this question, and manufacturers who have employees carrying on research often ask them to sign agreements stating that they will not claim any right to discoveries they make while at work for the firm.

Persons who carry on research for the government likewise have no claim to any new product or method of production they discover. Any invention worked out in a government experiment station — a new fertilizer or use for peanut oil, for example — can be used by any citizen.

THINGS TO TALK ABOUT, AND DO

1. Talk with the owners of some of the older businesses in your community. Find out, if possible, how each business got started and how much it has changed through the years. There are probably many incidents of human interest connected with the history of some of these businesses. Members of the group who are interested in writing and reporting might arrange with the editor of the local paper to do a series of articles about these incidents for publication.

2. Take a general inventory of the different kinds of businesses in your town and discuss as a group what additional store, shop, or service would have a fair chance of succeeding if someone wanted to start an enterprise.

3. How would it change the life of the entire nation if our Premise regarding starting a business read, "The individual may start only such businesses as the government permits"?

4. Select one member of your group to make a special report on the Securities and Exchange Commission, telling what the agency is and does and why it was established.

5. Interview a number of local businessmen to find out what government regulations — local, state, and national — they must meet in operating their businesses. As the group discusses the information obtained from the businessmen, try to point out the reason back of each regulation.

6. Examine several tools or gadgets around your home or school to determine whether the items are patented.

7. If you thought you had an invention for which you could obtain a patent, how would you go about getting one?

8. Consider the possibility of asking a local lawyer to talk with your group on the importance of contracts in the business world. You might ask him to tell you some of the interesting conflicts that arise in connection with the interpretation of contracts by the two parties concerned.

9. Consult an encyclopedia or other source of information to find out how an author, composer, or creator of some other piece of original work may copyright it.

The Privileges of Individual Labor

MANY PEOPLE in the United States, as in other countries, earn their living by working for some person, firm, or organization. They are employees, and they have "bosses" whose privileges they often envy. But even though they work for somebody else, they also have privileges, privileges that in certain very important ways make them their own bosses.

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No young person in the United States is under any obligation to take up any particular kind of work. He doesn't have to be a school teacher, a coal miner, a doctor, a farmer, or a businessman because his father was one before him. Here, **"The individual may work at any job he can obtain and keep."** The job can be anywhere — in one's hometown, the next state, or all the way across the country.

This Premise which sounds so simple that it may at first make the reader say "So what?" represents a great struggle in human history, and the battle is not yet won. Everyone is free to apply for any job, but applications are not always given equal consideration. Some employers and labor unions do not give Negroes an opportunity to compete on an equal basis with other people for any but the least desirable and poorest-paying jobs. In other instances Catholics and Jews, and persons of Mexican, Oriental, and even Indian blood are denied

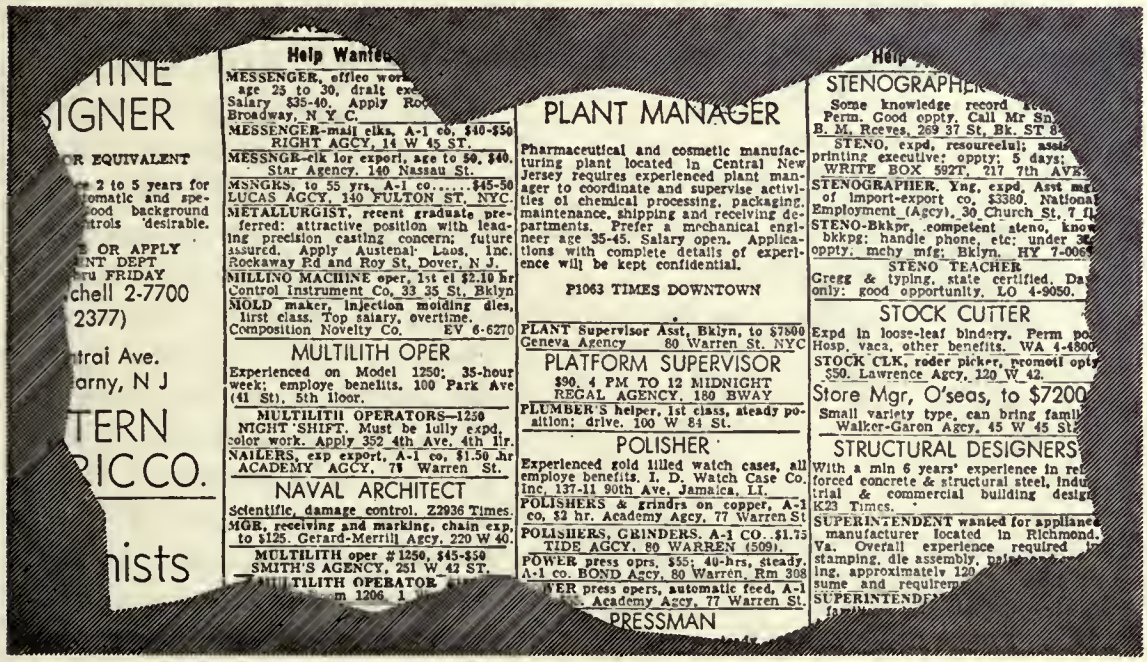
a chance to be considered for certain jobs in certain places.

Assuring *all* Americans a chance to obtain any job they are capable of doing has been a live issue since the early 1940's. During World War II, President Franklin D. Roosevelt issued an order forbidding discrimination against workers in war plants because of race, religion, or national origin. The order died with the end of the war, but the idea back of it remained.

After the war was over, Congress considered a fair employment practices bill outlawing discrimination in hirings, firings, and promotions throughout the nation. The bill didn't pass. Many people doubted whether such a law could be enforced, or whether really fair employment practices could be achieved by this method. Disagreement over civil rights issues, including fair employment practices, caused some Southerners to bolt the Democratic party and turn "Dixiecrats" in 1948. It influenced some of them to vote for the Republican presidential candidate in 1952.

President Eisenhower made his stand on fair employment clear early in his administration by an order forbidding discrimination in industries that produce materials for the Government. At the same time he set up a fourteen-member committee to see that the order was enforced and to carry on an educational program against discriminatory practices in employment in all occupations.

Some of the jobs that "the individual may obtain" as shown in a sample of the "ads" in a daily paper. Such advertisements suggest the freedom shared by both job hunter and employer in our economy.



"On no level of our national existence," wrote the President in the summer of 1953, "can inequality be justified. . . . What we cherish as an ideal . . . must be honestly exemplified by the Federal Government."

This worker, exercising his right to quit, may have been asked too often to work late; but workers often stay on the job when work piles up because they know that the boss has his problems, too.

Meanwhile, a number of states have passed laws to improve employment practices. With these laws and with both major political parties supporting the ideal, the issue now is how equality in job opportunity can best be achieved.

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Getting a job is one of the most important things in the world to people, as anyone knows who has wanted one very much and been unable to find employment. But it is equally important that **"The individual may leave his job whenever he so desires."**

Very, very few people in Soviet Russia today have the privilege of leaving their jobs, no matter how much they may want to, without running the risk of imprisonment. A specialist in Russian affairs, writing in the *New York Times Magazine* for October 19, 1952, described the workers' situation this way:

> *He [the Soviet worker] is bound to his job unless his superiors release him. To make sure that he will stay put the law provides that no worker may be hired unless he produces his labor book, a sort of internal passport for workers. The labor book is normally in the possession of the employer who surrenders it to the worker only when the latter has permission to leave. Leaving a job without permission, or hiring workers without labor books*

Workers vote, on secret ballots in a free election, to decide which union, if any, will represent them.

are both crimes punishable by imprisonment.

There was a time in the history of our own country when the Negroes who were slaves could not leave their jobs, but the Thirteenth Amendment put an end to slavery. There was a time when a man could force another man to work for him to pay off a debt, but a law abolished *peonage,* as this practice was called, in 1867. There was also a period when boatloads of immigrants were brought into this country under a scheme known as *contract labor.* These people were required to work very much like slaves, and for a very long time, for the employer who paid their passage over. Contract labor, too, was abolished in 1885.

It would be very hard to convince an American that freedom to leave a job any time he wanted to wasn't his absolute *right.* In recent times, only in World War II has he been required "to stay put." The right of the worker "to quit" is an important part of our system of free enterprise.

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Over 16 million men and women in the United States now take advantage of a privilege of labor expressed in the Premise, **"The individual may join a labor union."** This privilege has been guaranteed to every American since 1933. There have been labor unions of some kind in America since the late 1700's. The Philadelphia Shoemakers, for example, was organized in 1792.

Few labor unions were strong before laws were passed guaranteeing the worker's right to join. They were not strong for a number of reasons. Many employers opposed unions and refused to employ union members. Some work-

Officials representing union and management shake hands following agreement on a wage adjustment, showing the willingness to compromise that has brought improvements in labor-management relations.

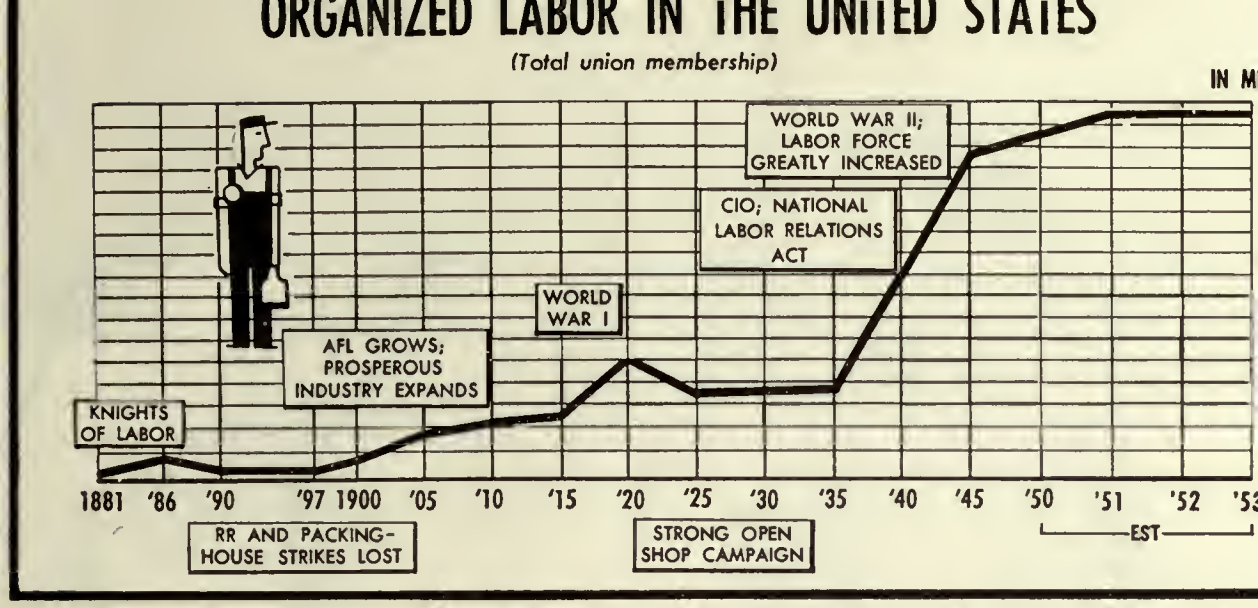
ers did not wish to join because of the dues, or because they didn't want to abide by union regulations.

Real labor union strength began developing after the passage of labor laws in the 1930's. Today the Taft-Hartley Act, which amended the earlier legislation, assures the individual's right to join a union.

Why is the privilege of joining a union so important to individual labor? Perhaps the simplest answer is in the old, old saying, "In union there is strength." One lone person out of hundreds or thousands working for an employer has no power to get a raise or better working conditions for himself if his employer isn't inclined to see things his way. But joined with the other workers in his plant or office, he becomes powerful. His union speaks for him with the combined strength of all its members and makes itself heard.

Labor unions are among the agencies that have influenced the passing of state and national laws to assure the individual laborer a better standard of living, a happier, safer, easier life. Among the benefits are workmen's compensation, social security, unemployment insurance, old age pensions, better wages, and shorter hours.

The workingman's privilege of joining a labor union is accompanied by responsibility. Most employers have discovered that what is good for the employee can also be good for the employer. In a similar way the employee has learned to consider his employer's interests along with his own. And neither can be allowed to act against the interests of the people as a whole.



Graphics Institute for —"American Government in Action" by Dimock & Dimock; Rinehart & Co

Note the years in which union membership rose most rapidly and give reasons for this increase.

THINGS TO TALK ABOUT, AND DO

1. Make a quick check of the group to find out (1) the occupation each member expects to follow; (2) the occupation of his parents; (3) the occupation of his grandparents. Does this information seem to bear out the Premise that in America one can work at any job he can obtain and keep, or does it indicate that he must follow pretty closely the occupation of his father?

2. How would it change the life of the entire nation if our Premise regarding individual labor read, "The individual must work as the government directs, at whatever job needs to be done"?

3. Freedom to choose an occupation carries with it the responsibility to make the wisest choice possible. Make a list of the things young people should consider in planning their careers. Ask the director of guidance in your school to suggest books that you might read and to talk over your list with you when you have completed it.

4. Imagine a common happening in the United States — the father of a family getting a new and better job in another section of the country, requiring that the family move. The family is in the midst of preparations. Suddenly, it is discovered a new order has just been issued forbidding anyone to change jobs without permission of the government, a situation similar to that in Soviet Russia, described on page 136. Write and produce a skit based on this theme. The authors of the skit or the members of the group must decide how the skit should end.

5. Using for information references such as *Labor in America* by Harold U. Faulkner and Mark Starr, list highlights in the struggle for the right of the individual to join a labor union. Consult with a teacher of art and plan and paint a mural picturing these highlights.

6. Get in touch with a labor union official in or near your community and ask him to discuss the importance of unions with the group.

7. It is often argued that individuals should be free not to join a labor union as well as free to join one. Can you give any reasons for requiring that persons join a union to hold certain jobs?

The Privileges and Responsibilities of Economic Organizations—Corporate Enterprise and Organized Labor

In the days when most Americans were farmers or frontiersmen, it was common practice for each American family to produce almost everything it used. But as our nation grew, an increasing number of persons started businesses of various kinds to produce goods to sell. These early businesses were usually owned by an individual or family, and the persons hired to work in them were employed as individuals. For example, a worker bargained personally with his employer on such matters as the pay he was to receive and how he would work.

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Today the plants, mines, and stores from which much of our goods and services come are owned by *groups* of individuals — by companies and corporations in which many people own stock, and which are run by boards of direc-

tors and managers. Similarly the men and women who work to produce and distribute goods for these big enterprises work and bargain as a group, as "labor."

The change has come about because owners of business enterprises in America have found it advantageous to join with others of like interests, and the individual laborer has won a similar privilege for himself. **"Both may organize — business in associations and in corporations under state charters, labor in free and uncoerced unions."**

Businessmen began to form corporations back in the 1800's to build some of our big costly improvements, such as railroads. No single individual alone had the capital for these big undertakings, but numbers of individuals could set up a corporation and sell shares in it to many people with just a little money to invest, and thus obtain a large amount of capital. In this way big enterprises were launched. This kind of organization has made it possible for citizens to get the money they need to start all sorts of enterprises. Research, new machines, and bigger plants — all of which are essential to give us the goods and services we are accustomed to — would be impossible without vast accumulation of money through the sale of stocks, bonds, and other investments. Every state has laws outlining the requirements for setting up and operating corporations.

In addition to organizing as corporations, the corporations themselves may also organize into associations to promote mutual interests. These associations are on many different levels — all the businessmen in a town or locality;

Representatives of organized workers who make men's clothing at a national convention. Here they discuss problems and policies affecting local unions and organized workers in all parts of the country.

all the meat packers, steel manufacturers, or operators of coal mines in the nation.

Labor unions, too, organize. A steel worker, for example, may belong to his "local" which is a part of the industry-wide organization, the United Steel Workers of America. This national organization of steel workers is, in turn, a member of the Congress of Industrial Organizations (CIO).

Efforts to form labor unions have gone on since the late 1700's. An 1842 court decision in a case concerning seven Boston shoemakers is usually considered the first legal recognition of workers' right to organize. Up until this time the law had generally held anyone who tried to organize unions guilty of conspiracy, meaning guilty of plotting against the public welfare. Even after 1842 union members sometimes lost their jobs for trying to get other workers to join with them. Sometimes employers asked workers applying for a job to sign a pledge stating that they would have nothing to do with union activity.

Workers continued to organize in spite of opposition. After 1933, when the right of workers to organize was first guaranteed by federal law, new unions were formed, and union membership grew by leaps and bounds. The organizing of new unions still goes on all the time.

The words *free and uncoerced* are a very significant part of this Premise. They are the part of the guarantee that makes American labor unions independent of both employers and government, and the unions prize this independence very highly.

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A corporation or a labor union is a sort of "artificial person." Like a person, each can own property, sue and be sued in a court of law. Also, **"Both may acquire financial power — corporations through profits and the sale of securities, unions by assessing members."**

Ability to build up financial power is one of the advantages resulting from the privilege of businessmen and laborers to organize. Money means power. It enables the corporation or the union to pay for advertising and other forms of publicity to win the support of the public. It enables each of them to pay lobbyists, people with political "know-how," who persuade lawmakers to pass laws favorable to the interests of each. However, there are laws restricting the use of money or other gifts for the purpose of influencing lawmaking. For example, law forbids national banks to make contributions to political campaigns and restricts the size of political gifts which other groups and individuals can make. It also forbids the use of union funds to influence any election for federal office such as the President or a member of Congress.

Unions use large amounts of money to carry on a continuing organizing pro-

A bird's-eye view of the New York Stock Exchange, Wall Street, New York City, where securities of corporations are bought and sold. It is often called "the nerve center of American business."

gram to get more union members. The greater the total number of union members, the stronger each individual union. Unions use money, too, to carry on educational and welfare programs for their members, and to help their members during strikes or other lean periods.

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A worker's union is important to him because it can do some things for him better than he can do them for himself. **"Unions, as the representatives of all or a specified group of workers in an industry or plant, may bargain with management."** This is *collective bargaining* — representatives of the *workers as a group* meeting with representatives of the employers to talk over such things as wages, hours, or other labor-management problems.

The voices of all the workers in a plant are more powerful when they speak to an employer as one, through their union representative. Until the 1930's employers, if they wished, could simply refuse to sit down and talk over working conditions with union representatives who spoke for a whole group

of workers. This often resulted in the workers going on strike. The Wagner Act, passed in 1935, made an employer's refusal to bargain with the representatives of a legally-recognized union an "unfair labor practice." A revision of this law, the Taft-Hartley Act of 1947, provided that unions, too, are guilty of an unfair practice if they refuse to bargain with management.

The collective bargaining process is important to workers, to business, and to the public. By this process of meeting together in a spirit of give and take, a written work agreement or contract is drawn up which states exactly the obligations of the employer to the workers, and the workers' obligations to the employer for an agreed-upon period of time. Goods and services for the public, profits for business, and satisfactory wages and working conditions for the workers can thus go on uninterrupted.

These workers, identified by their banners and exercising their right to strike and picket, seem pleasantly confident of the outcome.

Along with recognition of American workers' right to join and organize labor unions has come recognition of their right to strike and picket, a right which workers have always had in theory, but which has not always been observed in practice. Today it can be said, with the force of law behind the statement, **"Union members may strike and picket peacefully."** Refusing to work until and unless certain of their demands are met has been the chief method organized workers have used to make their employers listen to their demands.

Until about twenty-five years ago, employers had a weapon they could use to break strikes. This weapon was a court order called an *injunction,* ordering strikers not to picket or carry on other kinds of activities harmful to the employer. Strikers who refused to obey the injunction could then be arrested for *contempt of court.* But the Norris-LaGuardia Anti-Injunction Act of 1932 now protects strikers from this possibility except in specified instances. The right to strike is also guaranteed in the Taft-Hartley Act.

The right of strikers to picket a plant or shop goes along with the right to strike. It is much the same as freedom to petition, guaranteed in the First Amendment. By picketing, strikers call the attention of the public to their grievance. The presence of pickets discourages other workers from taking the strikers' jobs, and the public from pa-

tronizing the particular business against which they are striking. But picketers must do these things in such a way as to keep the picketing *peaceful*, and this can be difficult during a "hot" labor dispute when emotions are high.

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One often hears the statement that business and labor have become "too big." Such a statement indicates that people feel it would somehow be better if our goods and services were still produced and distributed by small, individually-owned businesses, manned by unorganized workers.

Our feeling about "bigness" has come about because business organized into corporations and associations, and laborers organized into big unions are very powerful. People are probably expressing the fear that this great power will be misused, when they say business or labor is "too big."

Legally **"Neither business nor labor may use its organized power in restraint of trade."** The expression, *restraint of trade*, is difficult to define, and courts have given it varying interpretations. In general it means hindering or stopping the normal producing, buying, and selling of goods and services. As a nation, we expect just the opposite of this — a free flow of all sorts of things in the market.

Laws have not always applied to every restraint of trade. Labor organizations, for example, have not been subjected to the limitations set by the Sherman Anti-Trust Act. (See page 103.) They have, however, been restrained in other ways.

John L. Lewis, long-time President of the United Mine Workers, talks with newsmen in 1947 after both he and his union were fined for striking against the Government's orders.

Just when trade is being restrained is a very hard thing to decide. Suppose, for example, the organized workers for a transportation company strike for higher wages. If the workers' and employer's representatives cannot settle the strike quickly, the business and trade in the whole area served by the transportation line may be tied up. Is trade being restrained, and by whom?

Or suppose that several big companies get together and set the price they will pay the farmers for cattle as well as the price they will charge wholesalers for meat. The farmers get together and refuse to sell at the price fixed. When this situation continues long enough, housewives can't buy

meat. Is trade being restrained, and by whom?

It is up to our courts to decide whether organizations are acting in restraint of trade in cases similar to the two above, and many others much more complicated. The courts can do this, however, only when cases are brought to them.

Of course, government itself restrains trade in a sense. It does this when it passes laws to keep businesses harmful to the public from operating. For instance, the Food, Drug, and Cosmetic Act of 1938 prevents the uncontrolled manufacture and sale of drugs and narcotics. Such restraint of trade is necessary to protect the public.

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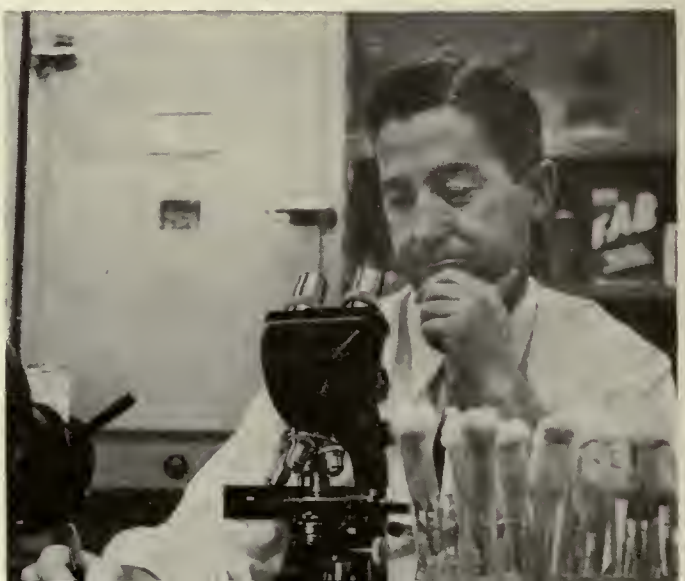
Government, representing all the people, has to see that business organized into groups and laborers organized into big unions observe some responsibilities along with enjoying privileges. We have many laws for this purpose, laws summarized in the one Premise, **"Neither business nor labor may imperil the health or safety of the nation."** The Food and Drugs Act of 1906 which requires manufacturers to make products that meet certain standards is one such law. The body of laws requiring airlines to observe safety precautions and prevent a few irresponsible operators of airlines from endangering lives is another example.

The striking United Mine Workers were accused of imperiling national safety in 1947, when they went on strike for higher wages. Officials of the National Government, who had already taken over the mines when the owners and workers couldn't agree, got an injunction and forced the miners back to work. Union officials said stopping the strike by injunction was a violation of the Norris-LaGuardia Anti-Injunction

Technicians in laboratories of a manufacturer of soaps, cosmetics, and like items check quality of one product and materials that go into others. Responsible business concerns make sure that their products are safe for consumers, up to company standards, and at least as good as competing products.



Act. The Supreme Court, which finally had to settle the issue, decided that the government officials had acted correctly; that in this case the Anti-Injunction Act had not been violated because the miners were striking against the Government, not against private employers.

The example above, of a responsibility conflicting with a privilege, illustrates an important point about our democracy. It shows that while we have definite principles to guide us, we are not able to make absolute and unchanging rules. Rather, rules often have to be interpreted for individual instances, and the interpretation changed in another similar instance when conditions are different.

THINGS TO TALK ABOUT, AND DO

1. Corporations produce and distribute by far the biggest part of the goods and services we use. One high school class started a business of its own to get a better understanding of how corporations operate. Graduation time was approaching and the students decided on the sale of school banners as a good money-making enterprise. A local lawyer helped the class set up the organization, including the writing of a charter which class representatives negotiated with the principal. The group elected a board of directors, and printed and sold stock at $1 per share. The manager, a student, placed an order with a banner company and a crew of students went to work making sales.

Discuss business possibilities in your school, then form a corporation and start a student enterprise. It might be a refreshment shop or a store to sell student supplies. Get help from a local businessman or lawyer and make the corporation as real as possible.

2. Why are difficulties between labor and management of importance to all citizens?

3. Appoint three or four members of the group to do research and make a report as a panel on the likenesses and differences between the Wagner Act and the Taft-Hartley Act. They might also include information on any current changes in the nation's labor law. Invite representatives of labor and management to visit the class and take part when the panel makes its report.

4. For a real appreciation of the meaning of the expression "free and uncoerced unions" in the first Premise discussed in the preceding section, find out what happened to labor unions when Hitler came to power in Germany in the 1930's. Look also for information on the role labor unions play in Soviet Russia or other countries ruled by dictatorship. Ask the librarian to help you locate the information.

5. Select one person in your group to do research and give a report on the work of the National Labor Relations Board.

6. Discuss as a group the things you think are essential to bring about more harmony between business and labor unions. Could any of the things suggested be included in the nation's labor law? If so, you might write your suggestions to your congressman or to the committee concerned with labor legislation. One high school class that had thoroughly analyzed the Taft-Hartley Act wrote to several congressmen and senators to suggest changes the students thought good.

The Free World

The Free World is one in which each individual nation, like an individual within a free nation, has the right to "live," and the obligation to "let live" and "help live." This kind of world does not yet exist, but the United States and other free nations are working toward this goal.

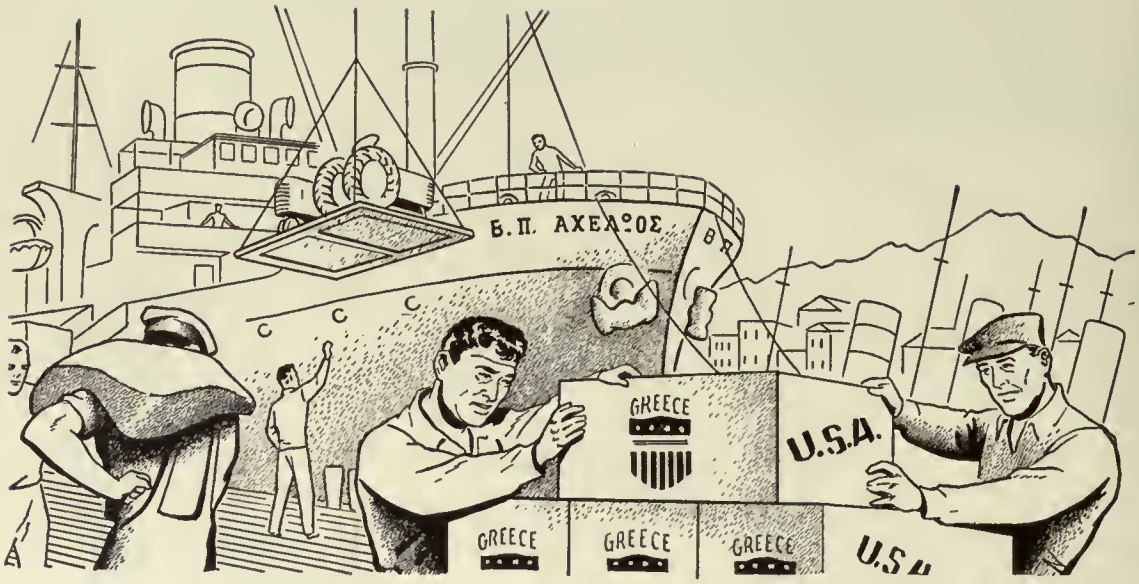
Under the Free World we shall discuss eight Premises that guide our country in its relations with the rest of the world.

One Premise emphasizes the role United States citizens play in influencing their country's relations with other countries.

One Premise stresses the importance of maintaining our independence as a nation while cooperating with other nations.

Three Premises review freedoms Americans believe all people should have if the world is to know lasting peace.

Three Premises cite evidence of our efforts, as an independent nation and as a member of the United Nations, to take an active part in solving world problems and to rid the world of war.



Premises Guiding Foreign Relations

"No nation's security and well-being can be lastingly achieved in isolation, but only in effective cooperation with fellow-nations."

This statement, from a speech by President Eisenhower just twelve weeks after he became President, reminds us that the nations of the world are dependent upon each other. Citizens must, therefore, feel concern about what is happening in other countries as well as our own. Just as a flood in the Middle West or organized crime in New York City may come to affect all Americans, so may an election in Germany or trouble between Japan and China.

Americans have come to feel this only in recent years. Back in the 1930's, for example, we read about what Hitler was saying and doing in Europe. It was "news" and interesting, but most of us didn't feel concerned, or even that it was really any of our business. Less than ten years later the lives of all Americans were greatly changed because our nation was involved in World War II to "stop Hitler."

Today most Americans believe that just as we must work together on such problems as providing schools, roads, or better working conditions in our own country, so must we work with other countries to help find solutions to world problems.

From its beginning our National Government recognized the importance

of "doing business" with the governments of other nations. The Constitution makes "foreign relations" the duty of our President, and the first cabinet post George Washington set up was the Department of Foreign Affairs. The name was soon changed to Department of State, the government agency responsible for carrying out our foreign policies today.

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Although the Secretary of State is appointed by the President and responsible to the President, official relations between the United States and other national governments are not determined by these two officials alone. An underlying Premise guiding our foreign relations is that **"The people influence the making and carrying out of foreign policy."** This influence may be indirect. The man who occupies the position of Secretary of State has to be approved by the Senate, whose members are, like the President, elected by the people of the forty-eight states. Persons who represent our nation as ambassadors in foreign countries have to be appointed by the President and approved by the Senate.

The Senate has to put its OK on all treaties that the President and State Department make with other nations before these treaties are binding. And, as with other government agencies, the people's representatives in Congress control the appropriations of money the State Department gets to carry on its work. So the people influence policy by objecting to, or approving of, what their money is being used for.

In some instances the people show very directly how they feel about a particular problem with a foreign country. In 1844, for example, when our Government and that of Great Britain were in a dispute over the Oregon territory, the people showed they wanted a "get tough" policy by electing James K. Polk President. He took the stand that the boundary between the United States and Canada should be just beyond the fifty-fourth parallel, and his campaign slogan was "Fifty-four forty or fight."

Evidence of citizens' attempt to influence foreign policy. This demonstration, in 1938, followed sinking of American ships in Chinese waters, after our President objected to Japanese aggression.

By the time Polk was in office, the temper of the people had changed, and they were willing to accept a compromise agreement that fixed the boundary at forty-nine degrees.

Other more recent instances of the people influencing foreign relations can be cited. When Japan invaded China in 1937, many people boycotted — that is, refused to buy — Japanese-made goods. This showed our Government what these Americans were thinking about Japan's actions in China.

Another example of the people influencing foreign relations was what happened when President Roosevelt appointed Edward Flynn to be Ambassador to Australia in 1943. A flood of letters, wires, and telephone calls from people objecting to this choice influenced the Senate to reject Flynn for this position. According to our Constitution the Senate must approve such appointments, so President Roosevelt had to make another choice.

One of the divisions in the Department of State — the Office of Public Affairs — exists for the purpose of keeping the public informed about international problems and finding out for the Department what individuals and groups are thinking on matters of foreign policy. In a democracy where the power to govern belongs to and comes from the people, international as well as national problems have to be the people's business.

To a large degree our nation's attitudes and actions toward other nations are what the people want them to be. But — the question naturally arises — what do we want them to be?

In considering this question remember that not everybody in the United States would have the same ideas as to what our official agreements and dealings with France, Brazil, Australia, or some other nation should be on a particular matter. So our Government, representing all of us, has to make choices. These choices become our foreign policy in dealing with nations. But our policy may change. It may change because conditions in our own country, in a foreign country, or perhaps in a group of foreign countries change.

Foreign policy is always subject to change. And in democratic countries, where government officials listen to the opinions of the citizens, the change reflects the wishes of the majority.

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Our acts toward other nations haven't always been as good as our words. However, our relations with other nations have generally been based on some very definite principles. One of these principles is the Premise that **"We are a politically independent nation, and we want to remain independent."**

The American Colonists declared themselves "free and independent" in the Declaration of Independence in 1776. The United States became a polit-

U.S. troops in action in Koreo in the spring of 1951. United Nations efforts to stop aggression by the communists in northern Korea began in 1950. An armistice wos worked out in 1953 and fighting ceased.

ically independent nation *officially* with the signing of the peace treaty with Great Britain in 1783. The nation's ability to maintain its independence, however, still had to be tested.

Making sure that we were respected by other nations and were secure in our independence was of a great concern to our leaders for many years. We fought Great Britain in 1812 in what is sometimes called the Second War for Independence. Step by step, we made the nation stronger and more secure by extending our boundaries — through the Louisiana Purchase, the acquisition of Florida, and other territories — to the Pacific and to our present borders on the North and South.

To maintain our independence as a nation in the early days, our leaders adopted a general policy of not taking sides in wars and controversies outside our borders. Our policy was: Hands off — we will keep out of your affairs and you keep out of ours.

In the last fifty years our nation has been drawn more and more into international affairs, although we tried to play a hands-off role both before and after World War I. Today the United States takes an active and responsible part in working with other nations on

international problems. Participation in world affairs, however, has in no way lessened our desire or determination to remain an independent nation.

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One of the Premises that has guided the United States in its relations with other countries grows out of our belief in the right of the individual to be himself — to think his own thoughts, use his talents to make a better living, have a voice in his government, come and go as he wishes. It is expressed in the triple statement: **"We are a nation in which the individual is allowed a large degree of freedom; we desire to retain unimpaired our individual rights and liberties; we believe that a large degree of individual freedom everywhere in the world offers the best hope of lasting peace."**

Our Constitution and the provisions of our Bill of Rights, referred to again and again in the preceding sections of this book, are good evidence of our belief in freedom for the individual: The right of every citizen to think; to ask questions; to disagree with the views of others; to express opinions; to worship as he chooses; to be considered innocent until he is proven guilty in a fair trial; to express a choice of public officials at regular elections; to criticize the acts of government officials; to run for and hold public office; to decide the occupation he will follow and to live and work where he chooses; to own property and make a profit from its use. The list becomes a very long one.

We want to keep our freedoms. Even though we do not always live up to our ideals, in few other parts of the world is the individual so free as he is in the United States. And, cherishing freedom for ourselves, we are naturally sympathetic with other people who desire it.

As a nation we have shown our concern for freedom by taking part in the defense of Korea. At the same time we have sided with other free nations to prevent the spread of communist aggression in Europe and elsewhere. In countries where communism has taken over, freedom has ceased to exist. In countries where people have taken to communism, they have found not freedom, but tyranny. We try to prevent the spread of communism at home and abroad because we consider this way of life a threat to us and the freedom we possess.

History shows that sooner or later people fight for some degree of freedom — a voice in their government, the liberty to say and believe what they wish, the chance to make a decent living. Many Americans living today experienced two world wars that were brought on because people were denied these things — pushed around, frightened, and brutalized. We believe there will be no lasting peace in the world until people treat each other with the respect due human beings.

The people of the United States have always wanted to keep out of war. Weariness with constant fighting and paying for war led many immigrants to come to this country from Europe. Ability to keep out of war was looked upon as one of the fruits of independence from Great Britain, one of the blessings of being three thousand miles from Europe.

Our hopes of living in peace have not been realized, and many a page of our history is filled with war. But in spite of this, and perhaps because of it, peace is more than ever our goal: **"We are a peaceful people and we work to rid the world of war and the threat of war."**

About fifty years ago the United States Government began cooperating with other governments in efforts to settle quarrels between nations without war. For example, in 1899 the United States joined with other countries in setting up The Hague Tribunal, a court to which nations could bring their legal disputes for settlement by unprejudiced persons.

In the 1920's the American Secretary of State, Frank B. Kellogg, and Aristide Briand of France proposed a plan to outlaw war. The plan consisted of having nations sign an agreement to settle their disputes by peaceful methods. The Kellogg-Briand Pact, as the agreement was called, was signed by sixty-two nations. But it turned out to be only a gesture toward peace. It had no "teeth" and did not even provide for getting representatives of the member nations together to iron out their difficulties. It did, however, make Americans think more about international problems, and their nation's place in world affairs.

Since World War II the United States has taken more active steps to help rid the world of war and the threat of war. Many of these efforts have been made in cooperation with other countries through the United Nations, which is discussed on pages 162–164. One of the most outstanding examples of this kind of cooperative effort was our offer, in 1946, to share atomic secrets with the whole world and to turn our knowledge of atomic energy to peaceful uses.

U.S. money helped to modernize this steel plant in France, thus upping production some 500 per cent. France's weakened industry after World War II needed a great deal of rebuilding and while this was being done there was much political unrest and conflict in France.

President Eisenhower speaking to the General Assembly of the United Nations in December, 1953. He suggested forming a new international agency to find ways to put atomic energy to peaceful use.

The offer was made on the condition that all countries agree to international controls and inspection to make sure that all nations used atomic knowledge for peaceful purposes only. Soviet Russia refused to agree to such control and inspection.

In December, 1953, President Eisenhower made another proposal regarding the sharing of atomic energy. He suggested that a special international agency be set up, and that nations producing atomic energy turn over some of their uranium and other fissionable materials to it. The agency would then work out ways of using the atomic materials for medical purposes, for improving farming, and for making electric power available to "power starved areas of the world."

If Russia and all other countries would cooperate, President Eisenhower's suggestion might be the means of gradually changing the use of atomic energy from destructive to constructive purposes. It could be a step toward peace because stockpiles of atomic weapons might be gradually reduced, and because the use of atomic energy would improve living conditions in the poorer or less developed areas of the world.

Widespread poverty and want tend to breed wars. People who are hungry and sick and cannot help themselves are easy prey to dictators who promise them a good life, who teach them to hate other people as the cause of all their hardships. Such leaders can easily take their people into war on the grounds of avenging wrongs and getting what "rightly" belongs to them.

Poverty and despair helped Hitler rise to power in Germany; Mussolini, in

Italy. Poverty and oppression by the rulers produced the communist state in Russia. Poverty, race conflicts, and a desire for independence are back of the unrest among many of the people in Asia and Africa today.

Right after World War II the United States sent large amounts of food and other supplies to the countries that had suffered actual destruction from the war. We gave both military and economic aid to Greece and Turkey where communists were threatening to take over the governments.

Later, under the European Recovery Program or Marshall Plan, the United States aided the countries of Western Europe by sending them machines, tools, factory supplies, seeds, fertilizers, and farm implements. Here, too, the purpose was to reduce the threat of communism and war. With the help received from the United States, the people of Western European countries were able to get many of their farms and factories back into production and to improve their living conditions.

The United States has also raised money to send armaments to Western Europe, the Middle East, and Southeast Asia, and to help some countries in these areas produce armaments in their own factories. Large sums have likewise been used helping the defeated countries of Germany and Japan back onto their feet.

Not all United States aid goes to war-torn countries. Another indication of our nation's effort to do away with conditions that lead to wars is the "Point Four Program," so called because it is based on the fourth point in a speech by President Truman. Under this program the United States has been giving technical and scientific assistance to the less developed countries of the world so that the people can help themselves to a better life. For example, cotton production in Nicaragua was doubled in one growing season through use of insecticides demonstrated by American advisers.

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George Washington suggested the role that the United States should play in its relations with foreign countries when he was leaving the Presidency. His advice was that we be friendly to all peoples, but make no special "deals" or secret alliances with any one nation. It was his belief that "playing favorites," as most leading nations did at the time, made nations suspicious of each other. Worst of all, a nation that made secret alliances with another nation often found itself involved in that nation's wars whether it wanted to be or not.

To a large degree the United States has followed Washington's advice. It can generally be said of our relations with other countries of the world that **"We are a friendly people with no traditional enemies, and we want to have friendly relations with all people."**

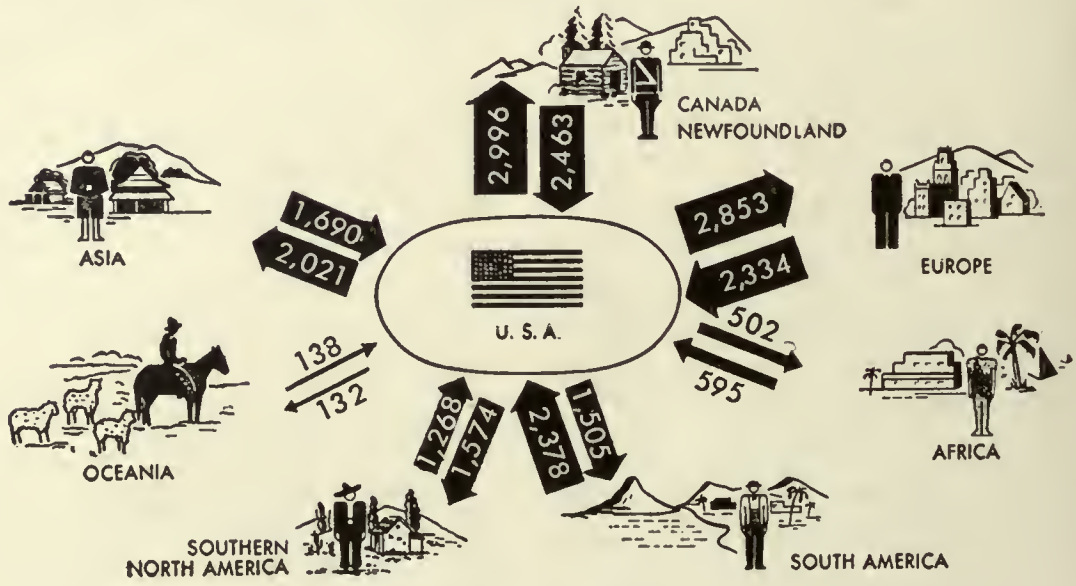
This Premise applies even to Soviet Russia, although the Russian Government and our own have been in almost constant disagreement since 1945. The Premise applies because neither we nor our Government look upon the Russian people as our enemies. Americans do consider communism an enemy of freedom. We consider the Soviet Government's efforts to bring other countries under its control a threat to freedom. But it is this communist aggression rather than Russia that we look upon as "enemy." In fact, in 1951 Congress passed a resolution expressing the friendliness of the American people for the people of Soviet Russia.

Evidences of our friendliness are to be seen in the help given people of both friendly and enemy nations following both world wars. A friendly gesture of a different nature was our return of a portion of the "damages" payment made by China to the United States following the Boxer Rebellion of 1902. Still another example is the assistance given directly to the Netherlands by the American people after the tidal floods that ravaged the Netherlands in the winter of 1953.

Good as is our record of being "a friendly people," not all the acts of our Government have been looked upon as friendly gestures by other countries.

This pictograph, based on 1953 figures, shows more balance between our exports and imports than has been usual in our trade with other countries. Finding some way to maintain this balance is one of the most important steps toward our goal of world peace.

WITH WHOM WE TRADE, 1953



Exports and imports in million dollars

PICTOGRAPH CORPORATION

For many years feelings of Latin Americans toward the United States were mixed with distrust.

The Latin American countries were suspicious of the United States for several reasons. For example, our President Monroe, in the Monroe Doctrine in 1823, announced to European countries that the New World was no longer open to colonization, and that the United States would consider any interference with Latin American countries as unfriendly to our interests. The Latin American countries themselves were not sure they liked this kind of talk by their big neighbor on the north. Did it mean, possibly, that we were "protecting" them *for ourselves*, rather than *from Europe?*

The Mexican War (1846–48), which cost Mexico the territory that is now our Southwest, did not lessen the fears of the Latin Americans. Such other events as the Spanish-American War and our taking territory in the Isthmus of Panama followed. A United States policy often called Dollar Diplomacy also led to bad feelings toward us.

Dollar Diplomacy was the practice of encouraging Latin American and Caribbean countries to depend wholly on the United States for loans and investments to make improvements and start industries. Later, when revolutions threatened the investments of Americans in Nicaragua, Haiti, and the Dominican Republic, we sent our Marines to occupy these countries and protect our interests there. The Latin Americans can hardly be blamed for not looking upon these acts as wholly friendly.

Since the early 1930's the United States Government has made great changes in its way of dealing with Latin American countries. As a result of this Good Neighbor Policy, Latin American countries have increasingly looked upon our nation as "friendly" rather than "interfering." And the steps we have taken have helped the Latin American countries get along better among themselves.

In 1932 the United States promised not to interfere in wars between countries "south of the border." This was followed by agreements among all the Americas to get together and talk things over when anything happened that threatened the welfare or safety of any one nation. During World War II the Americas made a pact to work together in defending the Western Hemisphere against attack. They agreed to protect colonies such as French or Dutch Guiana should Germany or her allies attempt to take them over.

In all these and other steps the United States has taken a leading but not a dominating part. Today, Latin American countries tend to think of the Monroe Doctrine not as a United States policy against European interference in Latin American affairs, but as a policy of all the Americas protecting the common interests of all the countries in this hemisphere.

Better international understanding through a new and unusual method! A "Chinese cowhand" applies the finishing touches to a calf-branding job on a week-end visit of foreign students from two Texas universities to a nearby ranch.

One of our efforts to promote friendship with the Latin American countries is helping our citizens, particularly young people in our schools, understand and appreciate the achievements as well as the problems of our southern neighbors. The exchange of students, technicians, and information which our Government sponsors is another important step toward friendlier relations with Latin American countries. So are the trade agreements that make it possible for them to sell us more of the things they produce.

Exchanging products is one of the most important ways of promoting friendly relations between nations. In 1954 the United States had trade agreements with forty-four countries. We agreed to reduce the tariffs we charge on certain products each of these countries wants to sell us; they agreed to do the same for certain of our products. Such arrangements are called *reciprocal* trade agreements, from a Latin word that means "shared by both sides." When other countries can sell us more goods, they can buy more from us, so each benefits.

Getting all the nations to agree to reduce tariffs and other restrictions on trade is much more than a friendly gesture between nations. It is essential to bringing about better living standards in many countries and reducing the risks of war. How to improve world trade is one of the problems facing our nation and the United Nations today.

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Because Americans place a high value on their independence and the freedom it gives them to work for the things *they* consider important, they believe that other peoples should have a similar privilege. To state this belief as another Premise guiding our foreign relations, **"We believe that all the peoples of the world are entitled to freedom to develop in their own way."** In keeping with this Premise, the very new United States Government was one of the first to recognize the Republic which the French people set up after getting rid of their autocratic rulers by revolution in 1789.

Many instances can be cited in which Americans, or their Government,

have championed the cause of freedom for people of other countries. Our support of Hungary's struggle for freedom from the Austrian Empire is an interesting example. In the middle 1800's the Hungarians fought for and won their independence from Austria. Almost immediately Austrian armies overpowered the new nation and brought it again under Austrian rule. Sympathetic with his cause, the United States Government invited the Hungarian leader of freedom, Lajos Kossuth, to come to the United States as a guest. Here he made speeches about his people's fight for freedom and raised considerable money which he sent home to continue Hungary's struggle for independence.

Kossuth did not live to see Hungary regain her independence. This was not achieved until 1918, after World War I. In this achievement an American President played an important part.

In the peace settlement after the war, President Wilson insisted that European peoples who had been forced to live under governments to which they felt no loyalty be allowed to set up governments of their own. It was his belief that giving all peoples a chance to decide what kind of government they are to have is an essential step in preventing wars. He promised this chance in one of his "Fourteen Points" on which peace would be based. In accordance with the promise, such nations as Hungary, Czechoslovakia, Poland, and Finland won their independence.

Since the end of World War II the United States has been on the side of other peoples who wanted a nation of their own. We gave the people of the Philippines their independence in 1946 as we had promised. We supported independence for India, Pakistan, Burma, Ceylon, Indonesia, and Israel — all since World War II.

We know that independence does not guarantee people a government or

Independence Day for the Philippines, July 4, 1946. The American flag comes down, the flag of a new independent republic goes up.

a way of life of their choice. But we believe that people can best work out their problems if they do not have to take orders from an outside power. We have given aid to Yugoslavia — a communist country — to help it maintain its independence of Russia. We have refused to recognize or "do business" with the Communist Government of China because we believe that it is a "puppet" nation that acts when Communist Russia pulls the strings.

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The year 1945, when the United States became an official member of the United Nations (UN), marked a definite turning point in our relationships with other countries. We had often helped other nations in times of need. We had worked with nations to fight wars. But never before had we teamed up with an organization of nations to work on the world's problems as we work on the problems within our own boundaries.

A student in Liberia College in Africa. This is one of the areas where UNESCO is helping bring about better living conditions through knowledge.

In this very important step we were saying that we were assuming a new responsibility, that **"Through the United Nations we hope to play an active and constructive part in the world community."** In fact, the United States had taken the lead in getting a "peacetime UN" set up while the United Nations were still working together to bring World War II to an end.

The United States refused to join a similar world organization, the League of Nations, following World War I. We reasoned that other nations' problems were not our problems, that staying out of such an organization would help to keep us out of wars. We turned out to be wrong on both counts.

World War II taught us that the world is too small and countries too dependent on each other for a nation of our ideals and importance to keep out of wars as long as wars occur. So we are trying a new step — working cooperatively in an organization whose purpose is to prevent war.

The United Nations, of which sixty countries were members in 1954, provides a place where international problems can be aired and debated. Informing the people of the world about threats to peace can be the first step in meeting the threats before it is too late.

People everywhere have become much more aware of the Russian threat because of her stand on questions debated in the UN. The UN has helped to keep little quarrels between nations from growing into bigger ones. It has been successful in dealing with conflicts in Iran, Indonesia, and Palestine. The United Nations forces, sent to help the South Koreans, have so far kept the struggle from growing into World War III, as Hitler's "little grabs" of territory grew into World War II.

Much of the work that the UN carries on does not make headlines. It is, nevertheless, helping improve conditions that could lead to war. Through the UN Food and Agriculture Organization (FAO), for example, experts and ideas are being exchanged among the member nations to help their people produce more and better crops. In a similar way, representatives of the World Health Organization (WHO) and other groups within the UN work quietly to understand each other's problems and help solve them.

Let's look at just one example. Experts from many countries are cooperating to improve the health and the food supply of the people of Afghanistan. The experts come from Haiti, Finland, India, the Netherlands, France, Britain, Austria, Belgium, Norway, and the United States.

Working as a team these people are introducing the use of simple farming tools in Afghanistan. Much of this land is too rocky to be cultivated by big machinery, even if machines were not too expensive to buy and operate. The experts from other nations are helping the people of Afghanistan wage war against pests and diseases that keep down the production of sheep, cattle, and chickens. They are teaching the use of insecticides and sanitation and medical measures, to eliminate malaria and typhus.

Trained by a WHO team, these medical officers in Thailand are at work in their campaign to eliminate malaria-beoring mosquitoes.

Another UN agency — the United Nations Educational, Scientific and Cultural Organization (UNESCO) — works on another front to bring the peoples of the world closer together. Through the efforts of this organization adults as well as youth are learning to read and write, increasing their knowledge and use of science, sharing books and ideas.

The UN has also been at work to get nations to agree on the rights that people everywhere should have regardless of the color of their skin, their religion, or the country they live in. The UN General Assembly issued a statement called the Universal Declaration of Human Rights in 1948 as a standard to guide the nations. The UN Commission on Human Rights is working on ways of promoting action by the nations in line with the principles of the Declaration.

In all the work of the UN the United States plays an active role. Our support is necessary to the UN's success. We are the world's strongest and most productive nation. We have a reputation for playing fair. This does not mean we are, or want to be, a "master" nation in the world community. We need the UN as much as the UN needs us. Because we are so well off, no other people have so much to lose by war.

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In its dealings with other countries the United States does not say, "You must be exactly like me." But it does attempt to get all nations to put into practice some of the beliefs Americans consider fundamental to freedom.

We believe in freedom of speech, freedom of press, and freedom of inquiry for ourselves. We believe these freedoms should exist everywhere. Harboring secrets does not create understanding and friendship among nations any more than it does in a small group or classroom. And so **"We favor the free and uncensored flow of ideas and information throughout the world."**

No nation has a monopoly on ideas or ability to make new discoveries. Scientists of several different nationalities contributed to the knowledge that finally made it possible to smash the atom. All nations can benefit from sharing information. It is with this belief that the United States has made the two offers to share the benefits of atomic energy.

With the means of rapid communication and transportation available today, it is possible for all people to know their neighbors in all parts of the world, to be familiar with their problems and accomplishments. It is possible *if* communications — the radio, newspapers, and other publications — are free to carry information, *if* people and ideas are free to come and go.

The governments of communist countries have gone far toward cutting off all free communication between their people and the people of the rest of the world. Officials censor the information that goes out and that which comes in. Neither their newsmen nor reporters who go there from other countries are free to gather and report the news; scholars and writers are not free to circulate their ideas. In Europe an *Iron Curtain* — a strip of land with armed guards, mines, and booby traps — surrounds the borders separating the communist countries from the outside world.

Two short wave radio programs, operated and supported by Americans, are attempting to carry information to the people behind the Iron Curtain, and to correct misinformation given out by the communist governments. One of these programs, the "Voice of America," is produced and financed by the United States Government. The other, "Radio Free Europe," is the work of an organization known as Crusade for Freedom, which is financed by the contributions of millions of American citizens. Of the two, "Radio Free Europe," broadcasting more hours of the day, reaches a larger number of people.

It is estimated that 70 million people in Czechoslovakia, Poland, Hungary, Rumania, Bulgaria, and Albania hear this program. Persons who have escaped or been exiled from the communist countries — reporters, teachers, clergymen, entertainers — prepare and participate in the broadcasts. Crusade for Freedom also collects information from behind the Iron Curtain which it makes available to the American press and radio, and helps escapees from the communist-dominated countries.

An actress, escaped from communist tyranny, talks to the people of Czechoslovakia over Radio Free Europe. Such broadcasts help counteract information put out by the communist-controlled press.

The United States Government cooperates with other nations in many ways to bring about a sharing of ideas, and hence better international understanding. It maintains information centers stocked with reading materials, pictures, films, and recordings in large cities throughout the world. The UN Radio broadcasts factual, unbiased information about what goes on at the UN. These programs are broadcast daily in twenty-five languages. National networks — France or Brazil or the Netherlands, for example — then rebroadcast them to the people of their country or region.

Many nations now "talk to each other" through the United Nations and its agencies such as the FAO, UNESCO, and WHO, mentioned earlier. Every effort that is made to help people learn to read and write, to take better care of their children, or even to build a better road requires sharing of information, and is a step in the direction of better understanding among nations.

For several years the United States has been cooperating with other nations to make it possible for more Americans to study, teach, or do research abroad, and for more foreign students and teachers to come here. The Fulbright Act,

passed in 1946, for example, made provision for our State Department to use part of the money from the sale of our surplus war goods abroad for this.

As a result of this provision a high school teacher from Ohio or New York or Colorado changes jobs with a teacher in Australia or Britain or India for a year. A professor in political science from the University of Illinois lectures at the Sorbonne in Paris. A specialist in labor problems in the United States spends several months in London, learning while he works with labor specialists there.

There is a limited number of these *exchanges,* as they are called. Every person who has this opportunity, however, can help in a small way to break down the walls of strangeness that have separated nations from nations.

Americans want peace in a *free* world. Wendell Willkie, who was a candidate for President in 1940 and who made a study of what is necessary for peace, put it this way in his book, *One World:* "The world must be free, politically and economically, for nations and for men, that peace may exist in it." This summarizes in one sentence the principles that support our belief in the Free Individual, the Free Government, the Free Economy, and the Free World. Each of these four phrases, like Willkie's statement, describes a goal that every American citizen has a right and responsibility to work for.

Wendell Willkie, back from his round-the-globe trip in 1942, tells hometowners we should help eliminate the causes of wor throughout the world.

THINGS TO TALK ABOUT, AND DO

1. Prepare o questionnaire and poll a cross section of the people in your community to find out their opinions on one or more current issues connected with United States foreign policy. Read newspapers and monitor several radio and TV programs to help you in selecting the issues. Be sure, in preporing the questionnaire, to frame the questions in a woy that doesn't suggest answers or influence the person who reods the questions to make a particular response. Also, to make tabulation of the answers easy, ask questions that can be answered *Yes, No,* or *Undecided.* When you have completed your poll, tabulote the results and arrange with the editor of your local paper to publish a story of the survey. You might also send a report of the results to the Division of Public Liaison of the Department of State and to the members of the Senate Foreign Relations Committee.

2. Select a committee to prepare a wall chart or a large time line showing incidents to back up the Premise regarding our desire to keep our independence as a nation. The evidence might begin with the Declaration of Independence and include such points as the War of 1812, the Monroe Doctrine, the French threat to Mexico in the 1860's, our reservations regarding the League of Nations the declaration of war against Japan in 1941, and insistence on the veto right in the United Nations Security Council. Consult a teacher of American history for help in doing the research. When the chart or time line is finished, discuss the importance of each of the items it includes.

3. Ask for volunteers to consult with interested teachers and work with the librarian in building up a shelf of pamphlets, books, magazines, and other materials dealing with United States foreign policy and international relations. The Division of Publications of the Department of State, Washington, D. C., is one source of free and inexpensive materials, and it will direct you to a variety of private organizaticns that publish materials.

4. Select a committee to do research and present a panel discussion describing the work of our State Department and other government agencies responsible for our relations with other nations. Joan David's *Inside the State Department* (Manhattan Publishing Company, New York, New York) is one source of information. The librarian may suggest others.

5. What evidence can you cite to show that the United States is interested in individual freedom for the people of other nations? Ask the librarian to help you locate material on the subject.

6. Consult your congressman for information about careers in the United States foreign service and the education and training needed to qualify for such work.

7. Look up the meaning of the following terms: *isolationism, collective security, unilateral action, neutrality,* and *embargo.* Explain the meanings of these expressions, citing instances in our past or present foreign policy to illustrate each.

8. Point out on a world map those areas where conditions may be breeding grounds for war. Discuss the conditions existing in each area, and the steps, if any, that are being taken to improve them.

9. Delegate a member of the group to write a letter to Crusade for Freedom (345 East 46 Street, New York, New York) asking for full information about its work and for suggestions as to what your group can do to assist such efforts.

10. Organize the group to work with local officials and the leaders of civic organizations in your town in planning a program for UN Day, October 24. The United States Committee for United Nations Day (816 21st Street NW., Washington, D. C.) supplies UN Day kits containing program suggestions.

11. How has the threat of communist aggression since World War II made it difficult for the United States to live up to our belief in the right of all peoples of the world to develop in their own way?

12. Make a rough comparison of the dollar cost of World War II to the United States and the cost of aid to help eliminate causes of war. Consult copies of the *World Almanac* for figures.

13. Check to see if there has been any recent change in our policy regarding foreign trade that might bring about a more balanced exchange of goods between the United States and other countries. If you were an official who had to help decide whether to lower or raise tariffs on imports, what would you recommend? Why?

14. Our President and others speaking for the nation frequently say in effect that the goal of our foreign policy is peace in a free world. As a group, list at least ten specific steps you think the nation should take or continue to take to help reach this goal. After you have completed the list, consider some of the problems that may stand in the way of our taking each of the steps suggested.